(1954) Department.

Ms SERIES.

G.O. No. 1299

(Also contains G.O.Ms. 3214 P.W. dt 16 9 54)

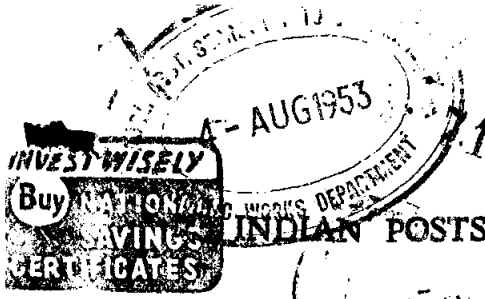
Dated 9-4-54

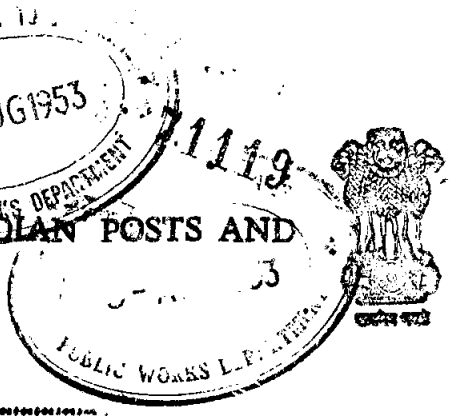
[Despatch Abstract.]

Mangalore Port – Constitution of Port Trust – Notifications – Published:

G.O. Ms. No. 3214 PW dt 16.9.54.

Mangalore Port Trust – Constitution of Port Trust Board – Ordered.





INDIAN POSTS AND TELEGRAPHS DEPARTMENT

54-2

Office Name Code No.

Rd. from

Sent at H

To

By

Handed in at (Office of Origin)	Date	Hour	Minute	Service Instructions	Words

To

Recd. here at H M.

O ME MANGALORE C 1-54 HONOURABLE SRI RANGA REDDY

PUBLIC WORKS MINISTER MADRAS :

KANARA CHAMBER IS GRATEFUL TO YOU FOR ALL EFFORTS TO HAVE PORT TRUST BILL PASSED AAA HOPE IMMEDIATE EFFECT WILL BE GIVEN AAA UNDERSTAND YOURSELF ATTENDING DELHI CONFERENCE AUGUST FOURTH AAA REQUEST ARRANGE IMMEDIATE IMPLIMENTATION C

INDIAN POSTS AND TELEGRAPHS DEPARTMENT

542

Class

Prefix ..... Code ..... No. C.

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Handed in at (Office of Origin)	Date	Hour	Minute	Service Instructions	Words

Recd. here at ..... H. ..... M.

(לפרוטוקול)

Submissions for perusal.
Documents file has been
sent to Legal for further action.
This may be added as in receipt

THE KANARA CHAMBER OF COMMERCE

P. O. BOX NO. 116 MANGALORE-1 (S. INDIA)

TELEGRAMS: "CHAMBER"
TELEPHONE: 128

Date 3rd August, 195

SECRETARIAT TO GOVERNMENT 10 AUG 1953 PUBLIC WORKS DEPARTMENT

PUBLIC WORKS DEPARTMENT

The Hon'ble Sri C.Rajagopalachari,
Chief Minister of Madras,
Fort St.George,
Madras.

72971

Sir,

Sub: Constitution of a Port Trust at Mangalore

We have the honour to communicate to you here-belo a resolution passed by the Committee of this Chamber at i meeting held this evening:-

" The Committee of the Kanara Chamber of Commerce, Mangalore places on record its grateful thanks to the Government of Madras for the promulgation of the Mangalor Port Trust Act, 1953 and also desires to convey its sincer thanks to the Hon'ble Chief Minister and the Hon'ble Mini for Public Works for successfully piloting the Bill throu both the houses of the Legislature.

The Committee requests the Government of Madras to notify at an early date under Section 2 of the Act, th date on which the Act is to come into force. "

Yours faithfully,

(U. Subraya Mallia)
HON.SECRETARY.

PW(F)

Submitted for perusal.
This will be added to the manuscript on receipt from Legal - vide p 4a

With reference to 'A' above, it is to that it may take some time for the Bill to become law as the

THE KANARA CHAMBER OF COMMERCE

P. O. BOX NO. 116 MANGALORE-I (S. INDIA)

TELEGRAMS: "CHAMBER"
TELEPHONE: 128

Date 3rd August, 195

The Hon'ble Sri N.Ranga Reddi,
Minister for Public Works,
Government of Madras,
Fort St.George, MADRAS.

Sir,

Sub: Constitution of a Port Trust at Mangalore.

We shall be grateful if you will kindly arrange to forwar this Chamber, three copies of the Mangalore Port Trust Act, 1953 following the application of the Tuticorin Port Trust Act, 1924 t Port of Mangalore with the adaptations and modifications set out Schedule to the Tuticorin Port Trust(Application to Mangalore)Bi 1953.

Thanking you,

Yours faithfull

For THE KANARA CHAMBER OF COMMERCE

THE KANARA CHAMBER OF COMMERCE

P. O. BOX NO. 116 MANGALORE-1 (S. INDIA)

TELEGRAMS: "CHAMBER"
TELEPHONE: 128

Date 3rd August,

To

The Hon'ble Sri N.Ranga Reddi,
Minister for Public Works,
Government of Madras,
Fort St.George, MADRAS.

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The Committee requests the Government of Madras to notify at an early date under Section 2 of the Act, the date on which the Act is to come into force. "

Yours faithfully,

(U. Subraya Mallia)
HON.SECRETARY.

lh

Sriman N. R. Ranga Reddi,
Minister for Public Works,
Madras.

Dear Sriman Ranga Reddi,

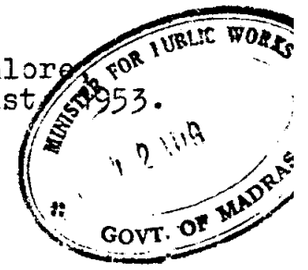
The passing of the Bill by the Legislature constituting the Mangalore Port Trust has given great satisfaction to the people here.

There is the Canara Vessel Owners' Association. It is a registered Body. It has received attention from the Government at the Centre also. Representatives of the Government have come and discussed various problems with them. They have substantial encouragement from the Government. When the Mangalore Port Trust is constituted, naturally they feel they also should have some representation. I feel that the claim of this Association could be recognised with due justice to them. In fact if they had pressed their claim prior to the passing of the Bill they would have perhaps got one seat. This step will go to satisfy a large section of the people here.

Yours sincerely,

B. Shetty

13



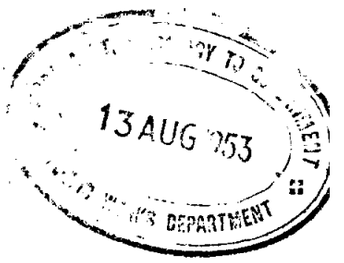
From:

Hajee M. Kunjhammu,
President,
The South Kanara Vessel Owners' Association,
MANGALORE.

Mangalore,
8th August, 1953.

To:

The Hon'ble Sri N. Ranga Reddi,
Minister for Public Works,
Government of Madras,
Fort St. George,
MADRAS.



73673

Honoured Sir,

Sub: Formation of a Port Trust at Mangalore - Constitution of the Board - Reservation of seats to representatives of Trade and Native Crafts - Requested.

We are extremely happy to learn from the "Daily Papers" that the Bill for the formation of Mangalore Port Trus has already been passed in the Assembly and that a Port Trust at Mangalore will shortly be formed.

2. We are also happy to learn that adequate provisio has been made in the Mangalore Port Trust Act, 1953 to have reserved seats for the members of the Mangalore Municipal --- Council, The Kanara Chamber of Commerce and the Western India Tile Manufacturers' Association, so that those bodies may sele their own Trustees to the Port Trust.

3. In this connection we submit that the main reason for bringing up the Mangalore Port on a par with a major port, is the unexcelled traffic of country crafts at the port. The highest number of Country Crafts from various ports including foreign countries arrive and clear at Mangalore. Moreover Mangalore and other allied ports in South Kanara are Country Craft building centres and during 2nd World War, South Kanara produced highest number of country crafts. Our South Kanara Vessel Owners' Association represents the interests of the --- country crafts and it is an undisputed fact that our Associati is an accredited organisation of all Boat Builders, Boat Owner and also Tindels having close touch with the Mercantile Community. Our Association is the effective mouth-piece of the Country Craft organisation. At the very outset of the inaugu ration of the present Port Conservancy Board at the Mangalore Port, one of the members of the Board has been nominated from the group of the Boat Owners.

4. No doubt the Kanara Chamber of Commerce, Mangalore is an accredited organisation of all trade interests, but ther is no scope for our Association to put forth our members throu the Chamber, as our Association is in no way affiliated to the Chamber, like other several Association of trade interests.

5. Our Association is a registered body duly registered under the Indian Companies Act

6. In the circumstances, the members of this --- Association urge before you that this Association like any other Registered Association of trade interests, should have at least two representatives on the Port Trust and request that necessary provision may please be made under Section 6 of the Mangalore Port Trust Act, 1963 to reserve seats for our Association.

Honoured Sir,
Yours faithfully,

ADDL. DEPUTY SECRETARY TO GOVERNMENT
14 AUG [illegible]
PUBLIC WORKS DEPARTMENT

74219

PHONE 215
LORETTO VILLA,
KODIALBAIL,
MANGALORE-3, (S. K.)

Date 8th August,

DEPUTY SECRETARY TO GOVERNMENT
14 AUG 1953
PUBLIC WORKS DEPARTMENT

The Hon'ble The Chief Minister,
Madras.

Dear Sir,

In connection with the Mangalore Port Trust which is sought to be created by the Act that was passed, representation is made on behalf of the Canara Vessel Owners' Association. These vessels are country-crafts. They are not steamships. Facts disclosed in the Memorial submitted on their behalf are substantially correct. I feel that they deserve a seat in the Board. While nominating persons this Association also could be consulted and their claims worked out. It will go a long way to give satisfaction to a very large number of people who are employed in this department of commerce.

Yours sincerely,

B. Vaikuntha Baliga

C. Rajagopalan
12.8.53

(Sw no 1/p 13-14-56)

17

Mangalore,
8th August 1953.

From:

Hajee M. Kunjhammu,
President,
The South Kanara Vessel Owners' Association,
MANGALORE.

To:

The Hon'ble The Chief Minister to
The Government of Madras,
Fort St. George,
MADRAS.

Honoured Sir,

Sub: Formation of a Port Trust at Mangalore - Constitution of the Board - Reservation of seats to representatives of Trade and Native Crafts - Requested.

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2. We are also happy to learn that adequate provision has been made in the Mangalore Port Trust Act, 1953 to have reserved seats for the members of the Mangalore Municipal Council, The Kanara Chamber of Commerce and the Western India Tile Manufacturers' Association, so that those bodies may -- select their own Trustees to the Port Trust.

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5. Our Association is a registered body duly registered under the Indian Companies Act.

6. In the circumstances, the members of this Association urge before you that this Association like another Registered Association of trade interests, should have at least two representatives on the Port Trust and request that necessary provision may please be made under Section 6 of the Mangalore Port Trust Act, 1953 to reserve seats for our Association.

Honoured Sir,

Yours faithfully,

19

By Registered Post

75012

No.12343/53-2. Legal (Legislative) Department

From

Sri V. Subrahmanyam,
Secretary to Government and Remembrancer of Legal Affairs.

To

The Secretary to the Government of India,
Ministry of Home Affairs,
NEW DELHI.

Dated Fort St. George, Madras, the 17th August, 1953.

Sir,

Sub: Bills - The Tuticorin Port Trust (Application to Mangalore) Bill, 1953.

I am directed to state that the Governor of Madras has reserved the Tuticorin Port Trust (Application to Mangalore) Bill, 1953, which has been passed by the Madras Legislature for the consideration of the President. The authentic copy of the Bill bearing appropriate endorsements made by the Speaker of the Legislative Assembly, the Chairman of the Legislative Council and the Governor is enclosed.

2. The subject matter of the Bill falls within the sc of the following Entries in the Concurrent List in the Seve Schedule to the Constitution:-

CONCURRENT LIST.

Entry 31 - Ports other than those declared by or under law made by Parliament or existing law to be major ports".

Entry 2 - Criminal Procedure.....

Entry 7 - Contracts, ...

Entry 13 - Civil procedure, ...

3. Section 41 of the Tuticorin Port Trust Act, 1924 (Madras Act II of 1924) which is made applicable to the Port of Mangalore, amends section 152 of the Indian Contract Act,

Concurrent subject of "Contracts..." (Entry 7). A
Section 115 may be said to be repugnant to the C
Criminal Procedure, 1898 (Central Act V of 1898) w
is an existing law on the concurrent subject of 'C
procedure' (Entry 2). Similarly, section 117 m
said to be repugnant to the existing law on the
subject of Civil Procedure (Entry 13). The Bill
ingly reserved for the consideration of the Presid
Article 254(2) of the Constitution.

4. I am to enclose a memorandum explainin
scope of the Bill and embodying a summary of the
ings of the Legislature. I am to enclose 5 copie
of the following papers:-

(1) the Bill as published and introduced i
Legislature; and

(2) the Bill as passed by the Legislature.

Copies of the proceedings of the Legislat
relating to the Bill will be forwarded in du co

5.I am to request that the Government of
will be so good as to obtain the assent of Pre
the Bill and return the authentic copy of the Bi
this Department at an early date.

Yours faithfully,

(Sd) M.K. Ramyanandam

for Secretary to Government.

Pkf/17.8

To the Public Works Dept

True Copy/

Superintendent

INVEST WISELY Buy NATIONAL SAVINGS CERTIFICATES

51

INDIAN POSTS AND TELEGRAPHS DEPARTMENT

Class / Prefix } ——— Code ———

No.

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INDIAN POSTS AND TELEGRAPHS DEPARTMENT

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Mangalore	12	15	50		53

TO

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Music for agricultural workers people Should and pertain to all views of government Co-operative organisation of Mangalore Electric undertaking stop brought into over Co per Original order.

= Chairman Mangalore municipal Council

Govt Printers, Madras-1, P.T.O. Books—Dated 10-9-54, 1 Book Books.

Legal (Legislative ~~Legislative~~) Department.

Memorandum No. 18343/53-5, dated 11th September, 1953.

Sub: ACTS - State - The Tuticorin Port Trust - (Application Mangalore) Act, 1953 - Publication ordered as Madras Ac XV of 1953.

...

G.O.No. 269, Legal, dated the 11th September, 1953 di the publication of the Tuticorin Port Trust (Application to Mangalore) Act, 1953, in the Fort St. George Gazette in Engli and in the Kannada language, is forwarded to the Controller Stationery and Printing. He is requested to publish the Ac English in Part IV.2 of the Fort St. George Gazette dated t 16th September, 1953, and in the Kannada language at a very ea date and to report to this department the date of publicatio of the translation in the Fort St. George Gazette.

2. The Senior Translator to Government is requested to forward the Kannada translation of the Act to the Control of Stationery and Printing, Madras very expeditiously, and t report to this Department, the date of transmission of the translation to the Controller of Stationery and Printing.

H.K. Narayanaswamy,
Deputy Secretary to Government.

To

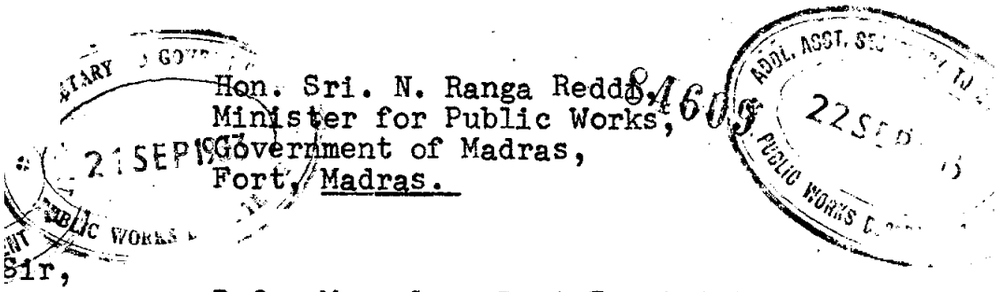
The Controller of Stationery and Printing, Mint Building Madras.
The Senior Translator to Government. (with enclosur
The Secretary, Madras Legislature (Assembly Secretariat) Mount Road, Ma
The Secretary, Madras Legislature (Council Secretariat) Fort St. George.
The Public Works Department.

Forwarded / By order.

D. Balasundaram

Superintendent.

H. K. Thingalaya,
Hon. Magistrate,
Hoige Bazaar, Mangalore-1. (S.K.)



Hon. Sri. N. Ranga Reddy,
Minister for Public Works,
Government of Madras,
Fort, Madras.

Sir,

Ref:- Mangalore Port Trust Act.

With reference to the above Act which is fas becoming an Act, I beg to place the following facts for your consideration and favourable orders thereon :

I am a member belonging to the Fishermen Com munity, aged about 53 years doing business in fish and r siding very near the Port in Mangalore.

I am a Congress Worker for the last 25 years was also imprisoned during the Salt Satyagraha Movement. I am the Joint Secretary of the D.C.C. now and the Vice President of the Mangalore Circle Congress Committee. I was also a Councillor for 6 years in the Mangalore Municipality.

I am doing Prohibition Propaganda since 1920 by founding a Temperance Hall (Regd.) known as Jnanodaya Samaj and I am a member of the Mangalore Taluk Prohibiti Advisory Committee even now.

I am the Vice-President of the Kanara Vessel Owners' Association (Regd.)

Now I learn that the Government is nominatin 2 members of the Fishermen Community for the Mangalore Port Trust. If I am selected I promise to do my best t the State and to the Community for which the seat is reserved.

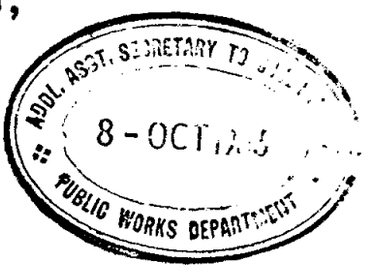
Mangalore,)
)
19- 9- 1953.)

Petitioner.

Copy to:-
1. Hon.Sri.C.Rajagopalachariar, Premier, Govt. of Madras
2. Hon. Sri. A. B. Shetty, Minister for Health, Government of Madras.

The Secretary to the Government of Madras,
Public Works Department,
Fort St.George,
MADRAS.

88827



Thro'

The Collector of South Kanara,
Mangalore.

Sir,

Sub: TUTICORIN PORT TRUST(Application to Mangalore)ACT, 1953- Constitution of the Port Trust Board at Mangalore- Representation for this Association Request renewed.

Ref: (1)Our Memorandum to the Government dated 23-3-1953.
(2)Our subsequent letter dated 3-4-1953.
(3)Our further representation dated 19-6-1953.

We beg to invite your kind attention to our Representations above cited requesting for granting a representation to the Mangalore Coffee & Produce Merchants' Association(Regd.in 1939) on the Mangalore Port Trust Board, which is due to be constituted shortly in accordance with the above Act and are sorry to note that we have not been favoured with a reply yet

2. We may be permitted to draw your kind attention to the fact that the principle of granting representation to the Registered Commercial Bodies functioning at the Port has been accepted by the Government in the constitution of the Tuticorin Port Trust Board in which 5 commercial bodies are now represented as stated below.-

(i)	Indian Chamber of Commerce,Tuticorin:	4 Trustees
(ii)	Tuticorin Chamber of Commerce.	2 "
(iii)	Tuticorin Trades Association.	1 "
(iv)	Tuticorin-Ceylon Current Exporters & Importers' Chamber.	1 "
(v)	Hardware Merchants' Association,Tuticorin:	1 "

Ever since the Report of the State Reorganisation
mmission was published favouring the formation of a
rnataka State including the district of South Kanara,
ere have been reports that Madras Government are not inc
to bestow any further attention on the needs of South Kana
and people of the district including the Members of the
Legislature from this district are very much perturbed at
the present step-motherly treatment given to South Kanara
the State Government. The latest decisi on is a great blo
to our district.

If the Undertaking is not taken over, it is bound t
hamper the extension of electricity to rural areas around
Mangalore on account of the presence of the Licensee. It
will delay rationalisation of tariffs and reduction of the
electricity rates in Mangalore. That apart, it appears
the Chief Engineer for Electricity apa is contemplating
diversion of materials such as Poles, Copper wire etc., fr
Mangalore to other areas. This will affect our district
very much as all round electrification work in the distri
will come to a stand-still and will retard the development
of our district in many ways.

The proposals for extension of power supply to
Puttur and Kasargode are pending with the Chief Engineer,
the last nearly 12 months. If these schemes are not
sanctioned by the present Government, it will be an additi
blow to the district as under the new Government of Karnat
fresh investigations will be required which means unnecess
delay and postponement of rural electrification. On the
other hand, if the schemes are now sanctioned by this
Government, the work can be going on under the new Governm

It needs mention in this connection that almost ev
village is electrified in Coimbatore, Madura and other
districts in Tamil Nad whereas the villages in South Kanar
continue to be neglected. While work is carried on at to
speed in the Tamil areas, schemes intended for South Kanar
have been lying in cold storage and materials meant for ou
district are even diverted. Recently one wagon-load of
poles intended for Mangalore was reported to have been
diverted elsewhere stating that there are no sanctioned
schemes in South Kanara district although there are many
works here to be taken up. We understand that there is
also a move to divert further materials now lying at Manga
to Tamil areas. These developments do not stand to reaso

We have therefore to request the Madras Government
to reverse their latest decision of postponing the ta ing
of the local Electricity Undertaking and to proceed with t
acquisition of the same at the end of this month as per th
previous decision and programme and do justice to the publ
of South Kanara.

We shall be grateful if you will bestow your urgent
attention on this matter and pass suitable orders without
least delay.

Yours faithfully
For THE KANARA CHAMBER OF CO[illegible]

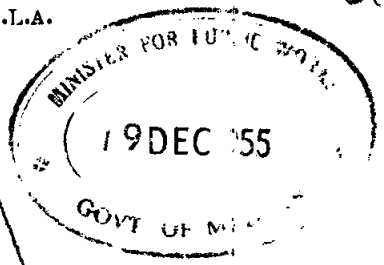
Hon. Secy

Copy to:-
1) The Hon'ble Minister for Public Works,
2) The Hon'ble Minister for Public Health,
Madras.

VAIKUNTA BALIGA B.A.B.L.,M.L.A.
VAKIL.

PHONE 215
LORETTO VILLA,
KODIALBAIL,
MANGALORE-3, (S. K.)

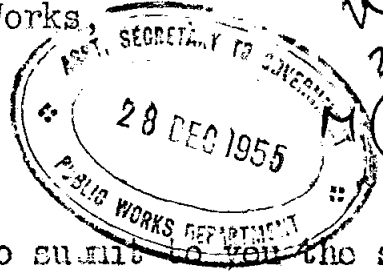
49



Date 15th Decr., 1955.

Secy., P.W.D.

The Minister for Public Works,
Government of Madras,
St. George, MADRAS.



22/12 Same on plaints (W)

Sir,

I have been instructed to submit to you the sub-joined resolution that was passed on 15th December, 1955, at a meeting held in the premises of the South Kanara Central Co operative Bank, Ltd., Karkal Sadashiva Rao Road, Mangalore:-

> "This meeting of South Kanara Development Association views with concern and deep resentment the proposal by the State Government to drop the idea of taking over the Mangalore Electric Supply Company Ltd., and is also pained at the reason mentioned for such action namely the contemplated re-organisation of States. This meeting strongly objects to a reversal of the decision arrived at by the Government as the proposal to drop will have disastrous and far-reaching consequences and will retard the development of the District".
>
> "This meeting also requests the Government further to take immediately on hand the work of extension and intensification of the electrification within the Mangalore municipality and also continue with vigour the scheme of rural electrification and execute all the schemes as expeditiously as possible".

I wish to convey the sense of the meeting- the implication of lack of sympathy and understanding of the desire of the people actuated by the impending States re-organisation plan. The amounts involved are comparatively small. No benefit will be gained by the Government by dropping. Amounts invested will be reckoned in casting of figures. I am seriously to appeal to you to carry out the decision of taking over the Mangalore Electric Supply Co.,Ltd., and carry out all the proposals under consideration now as expeditiously as possible. I conclude by requesting prompt and sympathetic consideration and immediate orders on the above.

Yours sincerely,

B. Vaikuntha Baliga

B. VAIKUNTA BALIGA, B.A.B.L., M.L.A.

PHONE
VETTO
MADIAL
LORI

VAKIL

21DEC 55

MINISTER

GOVT.

Secy., P.W.D.

Date 12

27/12

M(W)

For immediate a

28 DEC 1955

22192

PUBLIC WORKS DEPARTMENT

Hon'bleSri B. Bhaktavatsalam,
Fort. St. George,
MADRAS.

Dear Sir,

Today I have wired to you as follows:-

"ELECTRICITY EXTENSION SCHEME SOUTH KANARA DISTRICT PROPOSAL CONTAINED STATEMENT STOCKED IN YOUR CONFIRMED IMMEDIATELY".

I confirm the same. The statement appearing in the "Express" Madras, day-before-yesterday has come as a su[rprise] the decision to take over the Mangalore Electric S[upply] Company should have been dropped is not easily unde[r]stood. Further, the scheme of work for extension inside the [town] as well as schemes for rural electrification from Mang[alore] to Bantwal and Mangalore to Puttur are proposed to be scrip[ped]. It is really unfortunate if such a decision [is] taken. The Community Project amounts have been alloca[ted] for erecting the new lines from Mangalore [to] Puttur. These estimates have been prepared and sanct[ioned] so long as the extension of electricity from Mangalo[re] to Puttur and Bantwal prepared. For this also the Comm[unity] Project has allocated funds. The matter is urgent and [the] discussions with regard to water supply scheme is pend[ing] as is history. The supply of the electric power to the tank power is absolutely essential.

putting a separate Division, power was given to the Committee. It is clear to me that contemplated new areas should be made. In fact both these provisions clearly show this is to avoid which is only to allow will serve many such cases. play in execution of that will disappoint and defeat the very serious consideration on these matters. I cannot be to find any justification for their cancelling or restricting the action of the Lines. By a combination of circumstances and within my knowledge if any decision on the lines as now before has been, I would earnestly appeal to you to reconsider the decision and cancel the orders if any for diversion of the water to any other District.

The proposed re-distribution of the provinces will hold or is likely to yield great dissatisfaction among the people. In order to maintain reasonable assurances given that fair treatment will be carried out to the District so long as the District continues in the existing State the continuance is necessary. I feel that when the affection that you should with the District, you will cordially do the needful.

I shall be glad and grateful if immediate orders by wire are given in this behalf.

Awaiting early

BILLS - Tuticorin Port Trust (Application to Mangalore) Bill, 1953 - Passed by the Madras Legislature.

The Bill mentioned above was published in Part IV-A of the Fort St. George Gazette dated 15th April 1953. The statement of Objects and Reasons appended to the Bill is reproduced below:-

"STATEMENT OF OBJECTS AND REASONS.

Among the minor ports which are under the control of th Governme nt of Madras, the Port of Mangalore is second only to the port of Tuticorin. The Tuticorin Port is admini ered by the Tuticorin Port Trust, a statutory body consitu under the Tuticorin Port Trust Act, 1924 (Madras Act II of 1924) . The Mangalore Port however is administered by the Magalore Port Conservancy Board appointed under section 7(1) of the Indian Ports Act, 1908 (Central Act XV of 1908). This Board exercises all the powers specified in sections 8 to 16 of the Indian Ports Act, 1908, and is administratively subordinate to the State Port Officer. The Port Officer, Mangalore, is the Deputy Conservator of the Port and can act as Conservator in cases of emergency.

2. The conditions which obtained at Tuticorin when a Port Trust Board was formed for it in 1924 exist now at Mangalore. Representations have been received from the Kanara Chamber of Commerce and other local interests urging the constitution of a Port Trust so as to increase local automomy in the matter of administration of this important minor Port on the West coast. It is considered necessary to constitute a Trust Board for this port and for that purpo to provide for the application of the Tuticorin Port Trust Act to the Mangalre Port. The Bill is designed to achieve this object."

On the 28th July 1953, Sri N. Ranga Reddi, Minister for Public Works, instoduced the Bill in the Legislative Assembly and moved that the Bill be taken into consideratio After he explained the objects of the Bill, there was some general discussion. Some members urged the development also of other minor ports in the State. The Minister assured that development of other minor ports would be taken up having regard to the financial position of the Government. The motic was carried.

During the second reading of the Bill, the Minister for Public Works explained that the language of clause 2(2) of th Bill appeared to have caused misunderstanding in the minds of certain members that there was delegation of legislative power. He therefore moved an amendment to clause 2(2) of th Billso as to substitute the following.

"2(2) The Tuticorin Port Trust Act, 1924 (Madras Act II of 1924), with the adaptations and modifications set out in the Schedule, incorporated in the said Act, shall be called the Mangalore Port Trust Act, 1953. A copy of the Mangalore Port Trust Act, 1953 shall be prepared by the Secretary to Government, Legal Department

ie Legislative Assembly be taken into consi
The Leader of the Opposition said that conside
of the Bill could be postponed now and that the
could bring in a comprehensive legislation to cov
ports or in the alternative, opportunity should
the members to go through all the provisions of
Port Trust Act which were being applied to the angalore
Port. Replying to the points raised, the Chief Minister
said that as there was no other port except Mangalore
which would require the constitution of a Port Trust,
comprehensive legislation was not taken up and that there
was no time to go through clause by clause, and that
what was being done was only to apply the provisions of
the existing Act i.e. Tuticorin Port Trust Act to Mangalore
with suitable modifications. He also assured that the
Government would consider the possibility of bringing in a
comprehensive legislation for minor ports, specifying in the
Schedule Tuticorin and Mangalore and taking power to add
other minor ports in the Schedule, and that in the meanwhile,
if any difficulties were
found on the application of the Tuticorin Port Trust Act to
Mangalore, the Government would duly attend to them. One of
the members moved that the Bill be referred to a Select
Committee. It was explained that reference to a Select
Committee would only delay the passage of the Bill and that
the measure was urgent. The motion for referring the
Bill to a Select Committee was put to vote and lost.

During the second reading of the Bill, certain amend-
ments moved were rejected by the House after an assurance
was given by the Minister for Public Works that the question
of amending certain sections of the Tuticorin Port Trust Act
were under the consideration of the Government ant that tho
sections would be suitably amended by a separate legislature
The Bill was then read for the third time and passed.

/ True Copy /

D. Balachandra

Superintendent.

connection we recall with pleasure the statement made by the Finance Minister of Madras on the floor of the Legislative Assembly on the 24th March 1956 that the "Members from South Kana will not be parting from us with any feeling of grievance or with any feeling of neglect." We wish to take this opportunity to draw the attention of the Government to our grievance as explaine above and the neglect with which it has been dealt with by the State Government during the last over 3 months and we urge that action may be taken immediately to acquire the concern without further delay.

5. SUDDEN BREAKDOWN OF LOCAL POWER SUPPLY: We have to report to the Government a latest incident of grave concern to th people of Mangalore which has affected every consumer of electric in Mangalore, besides causing greatest inconvenience and handicap to factories and other establishments. This again calls for immediate and firm action on the part of the Goverment to proceed and hasten their measures to acquire the company:-

One of the Engines, the largest generating set in the local Power House(i.e., 500 K.W.)had failed or had not been working in order since some time past. No action seems to have been taken by the Company sufficiently early to set right this engine, apparently due to impending nationalisation. The Company lost foresight and interests of the local consumers were ignored and subordinated to the interest of the Company. As a result, the SAID ENGINE BROKE DOWN COMPLETELY AT NIGHT ON THE 2ND INST. and th people of Mangalore are now asked to face big cuts in the supply o electricity in the City. A copy of the Company's notice publish today in the local Daily is enclosed herewith and a copy of the Company's telegram of yesterday's date to the Chief Electrical Inspector to the Government of Madras is reproduced below for your reference:-

> " 500 Kilowatts MAN/SSW Diesel Generator Set Brokedown 9-30 P.M.yesterday due to broken teeth on Cam Shaft wheel and broken wheel case supporting bearing bracket of wheel for Governor Stop Requested Escorts Bombay Delhi Calcutta to depute Erector by Plane urgently Stop Introducing Fifty percent cut on domestic lighting and Power between six and ten P.M.daily, alternate day working of the factories, grouping of industrial consumers in two for working 4 four hours only either in the morning or in the evening each day, stopping evening shows of cinemas and switching of street lights as required in anticipation of your sanction Stop Letter follows Stop Kindly ratify action- Kilovolts "

In the circumstances mentioned above, we stress that it is time that the Government should take action without loss of time to proceed with the acquisition of the local Electric Supply Undertaking and pass suitable orders in the matter immediately.

Yours faithfully,

For [illegible]

Copy to:-

(1) The Hon'ble Public Works Minister, Madras.
(2) The Hon'ble Finance Minister, Madras.
(3) The Hon'ble Minister for Public Health, Madras.
(4) The Chief Engineer for Electricity, Madras.
(5) Sri [illegible].S.Hegde M.P., Madras.
(6) Shri [illegible]

THE KANARA CHAMBER OF COMMERCE

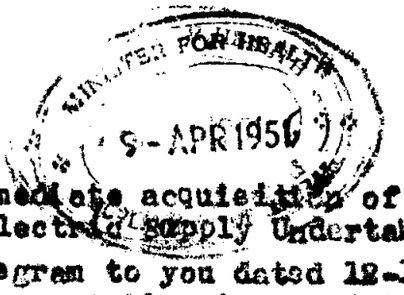
P. O. BOX NO. 116 MANGALORE-1 (S. IND

AMBER"

Date 4th Apri

M(W.)
Addl Letters
7/4

The Hon'ble Sri K.Kamaraj,
Chief Minister of Madras,
Fort St.George,
MADRAS.



Sub: Need for immediate acquisition of the Mangalore Electric Supply Undertaking.

Ref: (1) Our Telegram to you dated 12-12-19
(2) Our Representation to you dated 12-12-1955.
(3) Our further letter to you dated 7-2-1956.

****

The need for re-changing the Government decision and the immediate acquisition of the Mangalore Electric Supply Undertak as originally decided, has been the subject-matter of our representation to you since the last December ever since the Government reversed their original decision. It is regretted that there is yet no response from the Government.

2. Added to our representations, there have been protest and a large number of representations from the several importan people of Mangalore on this question. The local Members of the Madras Legislature, the President of the South Kanara District Board and the Chairman of the Mangalore Municipality had by the representation to you dated 20-12-1955, sufficiently impressed upon the Government the need to acquire the concern forthwith.

3. During your visit to Mangalore in December, 1955 you were kind enough to express strongly in support of the demand of the local people for taking over the local Electric Supply Undertaking. The assurance that you gave at that time that the Government would go ahead in taking over the concern had set at rest all minds. Our Representatives in the Union Parliament ha been telling us following their personal representation to you that you have been very sympathetic towards our demand. Added to this, the Health Minister Sri A.B.Shetty is also reported to have taken up this matter in right earnest with yourself, the Finance Minister and the Public Works Minister. While all thos in authority seem to appreciate our point of view and are known to be agreeing with our demand and it being so, since the last over 3 months, nothing positive has happened till now and peopl of this place are surprised and shocked at the present stalemat and the denial of a very essential requirement to which they ar entitled and which was once sanctioned by the Government.

4. We are led to believe that the Minister for Public Works who is directly in charge of the subject seems to be not as much sympathetic as he ought to be in this matter. The fac that only justice is asked for to redress a legitimate grievanc does not appear to have received his adequate attention yet. It is also felt that the States Reorganisation in the near futur is taken advantage of by the vested interests to shelve the question of acquiring the concern. But we would like to emphasise that the distribution of States cannot stand in the wa of implementing a long-standing decision in respect of this important question. The present State Government cannot let dow this district in the disguise of States Reorganisation. In thi

3. The constitution of a Port Trust at Mangalore is admittedly on the lines of the Tuticorin Port Trust. That apart, the Tuticorin Port Trust Act itself has been made applicable to Mangalore and therefore it is just and proper th the constitution of the Port Trust Board also should be on the lines of the Tuticorin ort Trust Board. When this point is conceded and when the claims of the Western India Tile Manufacturers Association, Mangalore(one of the other commercial Associations)for representation on the Port Trust Board were accepted, it is strange that the Government should have thought it roper to overlook the claims of this Association for simil representation on the Port Trust Board. This omission, we f is quite unreasonable and does great injustice to this Associat It is, therefore, disappointing to note that the above Act does not provide any statutory representation for this Association despite our timely representations in the matter.

4. Having been thus deprived of a statutory we have now to seek redress under Section 6(1) of request the Government to be good enough to nomina sentative of this Association on the Port Trust Bo We have considered all aspects of the constitution and feel certain that it would not be difficult at all to concede this reasonable request of ours as explained below:-

5. The constitution of the Board at Mangalore according t the Act, the indications given in the Legislature and the claim of the different interests, appears as follows:-

U.S. COPYRIGHT OFFICE PROTECTED UNDER TITLE 17 U.S.C.
UNAUTHORIZED REPRODUCTION, DISTRIBUTION, OR DISPLAY
PROHIBITED.

'ALORE COFFEE & PRODUCE MERCHANTS' ASSOCIATIO
P. O. BOX NO. 116,
BUNDER,
MANGALORE-1.

Dated .....

8. In the circumstances, we hope that our Popular Government will not deny this very reasonable and just privi of this Association to serve on the proposed Port Trust Boar at Mangalore.

9. It may not be out of place to mention in this connection that the Kanara Chamber of Commerce, Mangalore, though given 4 seats on the Board can hardly be expected to accomodate a representative of the coffee trade interests in its quota. The Chamber is composed of several importing a exporting trade interests of Mangalore such as grains and ot importers, arecanut, cashew and other exporters, engaged in t sea-borne trade, who having no separate individual trade associations of their own, strongly urge their respective cl for representation on the Port Trust Board. The Chamber wit only 4 seats at its disposal, is thus already faced with a difficult task of satisfying the claims of its different tra sections, which are no less vociferous in putting/their dema for representations to them respectively. In such circumst it has become necessary for the coffee trade interests repre sented by this Association to seek a separate representation

We sincerely hope that the Government would be please to grant our request and nominate a representative of this Association to serve on the Port Trust Board, under Section of the above Act. We await your early favourable reply wi great interest and thank you in anticipation.

Yours faithfully,

(U. Subraya Mallia)
PRESIDENT.

Advance copy to:
The Secretary to the Government of Madras,
Public Works Department, Fort St.George, Madras.

THE KANARA CHAMBER OF COMMERCE,

P. O. BOX NO. 116, MANGALORE-1 (S. INDIA)

MS: "CHAMBER"
NE: 128

Date 6th October, 1953

To 88841

The Secretary to the Government of Madras,
Public Works Department,
Fort St.George,
MADRAS.

Sir,

Sub: Constitution of the Port Trust at Mangalore- Issue of Notification bringing into force the Tuticorin Port Trust(Application to Mangalore) Act, 1953.

We invite a reference to our letter dated the 3rd Au 1953 addressed to the Hon'ble Minister for Public Works, Ma on the above subject.

It is once again requested that the Government may b pleased to notify at an early date under Section 2 of the a Act, the date on which the Act is to come into force.

As already requested in our ~~letter~~ separate letter d the same date, 3 copies of the Mangalore Port Trust Act, 19 following the application of the Tuticorin Port Trust Act, 1 to the Port of Mangalore with the adaptations and modificat set out in the schedule to the Act No.XV of 1953, may kindl be sent to the Chamber.

We remain grateful in anticipation of your early response.

Yours faithfully,

M Muthuswamy

Hon. Sec'y

Memo No. 88841F/53-2d/ 23.11

Sub: The Tuticorin Port Trust (Application to Mangalore) 1953.

Ref: Govt. Memo No. 82851F/53-2 dated 18-9-53
" No. 82851F/53-3 dated 29-10-53.

The attention of the S.I is invited to the Govt. reference cited. He is informed that with reference to section 2(2) of the Tuticorin Port Trust (Application to Mangalore) Act 1953 (Act XV of 1953), the Tuticorin Port Trust Ac 1924 (Madras Act II of 1924) with the adaptations and modifications set out in the Schedule, incorpor ted in the said Act, shall be cal the Mangalore Port Trust Act, 195 and a copy of the Mangalore Port Trust Act 1953 shall be prepared by the Secretary to Govt. ~~Legal~~ Law Dept. and published in the Fort St. Geo Gazette. Necessary action in thi regard ~~has been~~ is being taken in the Law Department.

2. According to section of the Mangalore Port Trust Act, 19 the Act shall come into force on such date or dates as the State Govt. may by notification direct. It has been suggested that it will be convenient to issue such a noti fication simultaneously with the

✓ (as required)

ust Act, 1953, by section 2(2) of

dras Act XV of 1953. The S.F.C.

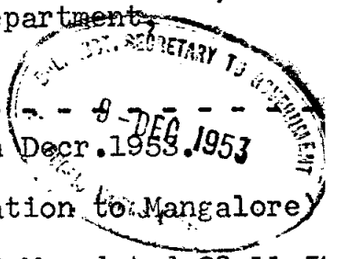
s therefore requested to submit

~~e submission~~, the necessary draft

ifications expeditiously.

From
L.H.Cornish Esq.,
State Port Officer,
Post Box No.13,
Madras-1.

To
The Secretary to Government,
Public Works Department,
Madras.



No.4107-G1/53-2 dated 7th Decr.1953.

Sir,

The Tuticorin Port Trust (Application to Mangalore) Act, 1953.
Government Memo No.88841 F/53-2 P.W., dated 23-11-5[illegible]

I invite a reference to G.O.No.261 Fin.(Marine), dated 10-6-1924, notifying the constitution of a Port Trust for the port of Tuticorin and bringing into force certain sections of the Tuticorin Port Trust Act, also to G.O.No.468 Fin.(Mar.), dated 7-10-1924 and to the notifications appended thereto, and to Government Memo No.T.205/24-2-Fin.(Mar.), dated 22-11-1924 from which it will be seen that the several sections of Tuticorin Port Trust Act was not brought into force simultaneously owing to the time lag involved in the election of members to the Port Trust Board etc. The Port Officer, Mangalore has accordingly been requested to prepare draft notifications on the lines indicated and issued in G.O.261 Fin.(Mar.), dated 10-6-1924 and these on receipt will be submitted to Governmen immediately.

In this connection, please see para 2 of my letter to Government No.3425-G1/53-4, dated 4-12-1953 and to draft notification III enclosed thereto. For the reason shown in the foregoing para, the date 1-4-1924 suggested therein would als appear impracticable. In the draft notification III referred to, for the words "Port Trust Board", please substitute the words "Port Conservancy Board" - vide G.O.No.569 Fin.(marine) dated 29-11-1923, for a similar case, when the Port Fund was constituted for the port of Tuticorin.

Yours faithfully,

State Port Officer.

PWD (F1)

'A' above: A.R. Nil 30.12.53.

'B' above: Action regarding letter is being taken separately in file 82851 F

17.12.53

17.12.53

THE MANGALORE COFFEE & PRODUCE MERCHANTS' ASSOCIATION,

P. O. BOX NO. 116,
BUNDER,
MANGALORE—1.

3-DEC 1953
To
Public Works

Dated 28th November *1953*

The Secretary to the Government of Madras,
Public Works Department,
Fort St.George,
MADRAS.

DEPUTY ASST. SECRETARY TO GOVT.
3-DEC 1953

Sir,

Sub: Constitution of the Port Trust Board at Mangalore - Nomination of a Representative of this Association - Representation.

104114

Ref: (1) Our Memorandum dated 25-3-1953.
(2) Our subsequent Representation dt.3-4-53.
(3) -do.- dt.19-6-53.
(4) -do.- dt. 5-10-53.

Our previous representation dated 5-10-1953 on the above subject was submitted to you through the Collector of South Kanara, while an advance copy of same was addressed to you direct, so that the Collector may forward the same to you with his remarks and recommendations in the matter. The Collector was also addressed by us separately in the matter by our letter dated 5-10-53.

In reply, the Collector writes that no proposals are pending or due from his office. A copy of his letter dated 20-11-53 is enclosed herewith which is self-explanatory.

In view of the above, we request you once again to examine our representation most sympathetically with a view to nominate a representative of this Association to serve on the proposed Port Trust at Mangalore.

Thanking you in anticipation of your early favourable response,

Yours faithfully,
S. Lobo.
HON.SECRETARY.

To As

Please see the representation from the Mangalore office and Produce Merchants Ass. at plants

2. The question of giving statutory representation to the Assn. in the proposed Mangal Port Trust Board was examined in detail in consultation with the S.P.O and it was decided that it was not necessary to give representation to it. The main file on the subject (Cas 104558 F152) is now in Law dept. in connection with the publication of the Mangalore Port Trust Act 1953.

Sd/-

Proceedings of the Collector of South Kana
Sri A.Mahalingam Chettiar I.A.S.
L.Dis.23299/53 dated 20.11.53

PORTS - Mangalore - Constitution of Port Trust - Membership Reservation - Representation of the Mangalore Coffee and Produce Merchants Association Mangalore - Orders passed.

Read: 1. Letter dt.5-10-53 from Sri U.Subraya Mallia, President, The Mangalore Coffee and Produce Merchants' Association, Mangalore.

2. Mangalore Port Officer's letter No.1719/53-2 dt. 26-10-53.

*****

The President, the Mangalore Coffee and Produce Merchants' Association, Mangalore is informed that no propo are pending or due from this office.

(By Order)

Sd. .....
Huzur Head Clerk.

True copy/

elg wpcar

45 PWD (H.

Memo. no. 88841F/53-3 dt 22-12-53.

Mangalore Port Trust Act, 1953 - Supplemental

From the S.P.O. Letter no. 4107 GL/53.297.12.53

The S.P.O. is requested to furnish a copy of Govt. Memo. no. T.205/24-2 Fin(Ra dt 22.11.1924, as it is not readily traceable here.

22.12.53

DMS 4/12/53 M 22.12.53

Note: The memo. is not available in the M.R.O.

22.12.53

DMS 4/12/53 M 22.12.53

From
L.H. Cornish, Esq.,
State Port Officer,
P.B.No. 13,
Madras-1.

To
The Secretary to Government
Public Works Department,
Madras.

No. 410 [illegible] Dated 31-12-1953.

254

DEPUTY SECRETARY TO GOVERNMENT
2-JAN 1954
PUBLIC WORKS DEPARTMENT

Sir,

Sub: Mangalore Ports Trust Act 1953 - Implementation of
Ref: Government Memo No. 88821 P/53-3, P.W., dated 22-1

With reference to the Government Memo cited, I enclose herewith a copy of Government Memo No. T.205/24-2, Finance (Mar dated 22-11-1924.

Yours faithfully,

STATE PORT OFFICER.

Encl: (1)

GOVERNMENT OF MADRAS,
Finance (Marine) Department.

Memorandum No.T.205/24-2, dated 22nd November 1924.

Port of Tuticorin - Sittings of the Port Conservancy Boa

The Presidency Port Officer, is informed that all the provisions of the Tuticorin Port Trust Act, 1924(II of 1924) have yet been brought into force and that the Port Conservancy Board have still to perform services connected with landing and shipping and collect fees in accordance with the rules issued under the Madras Outports Landing and Shipping Fees Act, 1885 (III of 188 The Board should therefore continue to hold its sittings till the above function is transferred to the Port Trust.

C.P. KRISHNA AYYAR,
Assistant Secretary.

To
The Presidency Port Officer (with reference to his letter No. 3055 GL, dated 11-11-1924.)

Forwarded to the Presidency Port Officer.

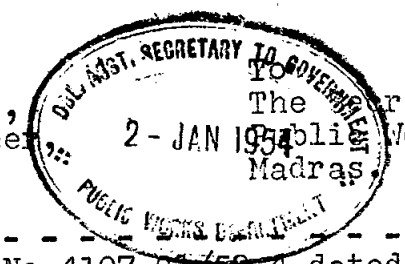
(By Order)

Sd/- x x x
Superintendent.

(True Copy)

STATE PORT OFFICE

From
L.H.Cornish Esq.,
State Port Officer,
Post Box No.13,
Madras-1.



To
The Secretary to Government,
Public Works Department,
Madras.

- -

No.4107-G1/53-4 dated 31st Decr.1953.

Sir,

Sub:-Mangalore Port - Mangalore Port Trust Act, 1953 - Draft Notifications under Sections 2, 5 and 10 of the Act.

Ref:-My letter to Government No.4107-G1/53-2 dated 7-12-1953.

255

In continuation of my letter cited, I forward herewith five draft notifications under Sections 2, 5 and 10 of the Mangalore Port Trust Act, 1953.

Yours faithfully,

State Port Officer.

IN DUPLICATE

DRAFT NOTIFICATION.

I

Under Section 2 of the Mangalore Port Trust Act, 1953, the Governor of Madras is hereby pleased to direct that Sections 1 to 13 inclusive of the said Act shall come into force on 1st April 1954.

II

Under Section 5 of the Mangalore Port Trust Act, 1953, the Governor of Madras is hereby pleased to direct that the number of Trustees of the Port of Mangalore shall be fifteen including the Chairman and the Vice-Chairman.

III

Under Section 10 of the Mangalore Port Trust Act 1953, the Governor of Madras is hereby pleased to direct that the first elective Trustees of the Port of Mangalore shall be elected by the Mangalore Municipal Council, Mangalore on the 1954.

IV

Under Section 10 of the Mangalore Port Trust Act 1953, the Governor of Madras is hereby pleased to direct that the first elective Trustees of the Port of Mangalore shall be elected by the Kanara Chamber of Commerce, Mangalore, on the 1954.

V

Under Section 10 of the Mangalore Port Trust Act,1953, the Governor of Madras is hereby pleased to direct that the first elective Trustees of the Port of Mangalore, shall be elected by the Western India Tiles Manufacturers' Association, Mangalore, on the 1954.

STATE PORT OFFICER.

South Kanara Master Printers Association,
MANGALORE-1.

PRESIDENT:
K. S. KARANTH.

VICE-PRESIDENT:
A. S. KAMATH

SECRETARY:
B. P. KOOLURKER.

TREASURER:
S. V. KUDVA.

SPL. ASST. SECRETARY 10281
14 DEC 1953

Date 10th Dec. 19

The Secretary,
Public Works Department,
Government of Madras,
Fort St. George, Madras.

Dear Sir,

Re: allotment of a seat in the Mangalore Port Trust for our Association.

We understand that from 1-4-1954 Mangalore is going to have a Port Trust and as such we request you to kindly allot one seat for our Association.

In this connection we may add for favour of your kind information the fact that this is the only Association of the Printers in the South Kanara district to represent the Presses and the membership is covered by nearly 75 per cent of the Presses.

Further most of the Printers are importing printing and allied machinery from time to time from foreign countries and as such it is but quite fair that a seat is given to one of our Members to represent and safeguard the interest of the Printers.

Yours faithfully,

B. P. Koolurker
Secretary.

54

~~17-12.~~

64
17-12.

Endt No.NO)2&IF[53-/d 15-12-53.

C/y forwarded to

the S.P.O for remarks

15.12.53

15.12.53

55

From:
L.T.Cornish Esq.,
State Port Officer,
P.B.No.13,
Madras-1.

To:
The Secretary to Government,
Public Works Department,
Madras.

No.4378 G1/53-2 dated 8th January 1954

Sir,

Mangalore Port Trust - Constitution - Representation for the South Kanara Master Printers Association - Government Endt.No.107281 F/53-1 P.W. dated 13-12-53.

p 54 ans

--

It has been proposed to Government that with reference to sections (5) and (6) of the Mangalore Port Trust Act, 1953, ~~the Mangalore Port Trust Act 1953~~, the Mangalore Port Trust Board shall consist of 15 members. After providing for the statutory representations in section 6(2)(a) and (3) of the Mangalore Port Trust Act, there will remain four seats to be appointed by Government, with due regard to the provisions of section 3(2) of the Act.

I suggest that Government may appoint members to these four seats on their merits from bodies like the South Kanara Master Printers' Association.

Yours faithfully,

State Port Officer.

IMMEDIATE

GOVERNMENT OF MADRAS
Abstract

PORTS - Mangalore - Port Fund - Constituted.

Public Works Department

G.O.Ms.No. 546 dated 16th February 1954
Read the following:

From the State Port Officer letter No. 3425 G1/53-4 dated 4-12-1953.

ORDER

The Government direct that the Port of Mangalore shall be withdrawan from the "Western Group" of ports mentioned in Part II of Schedule I to the Indian Ports Act, 1908, (Central Act XV of 1908) and constituted into a separate port for the purposes of that Schedul

2. They also direct

(A) that with effect on and from the 1st May 1954, the Port Fund account of the Port of Mangalore shall be kept separate frc the accounts of the Minor Ports Fund;

(B) that the Port Fund be administered by the Port Conse vancy Board, Mangalore, subject to the control of the State Port Offi

(C) that the working expenses of the Port Fund in its initial stages be met from the Landing and Shipping Fund of the port subject to adjustment as the balances of the new fund become availabl and

(D) that the charges on account of the establishment of Mangalore Landing and Shipping Fund be met from the Mangalore Landing and Shipping Fund direct from the 1st May 1954.

3. The following notifications will be published in the Fort St.George Gazette and in the South Kanara District Gazette:--

NOTIFICATIONS

I.

In exercise of the powers conferred by section 33(2) of the Indian Ports Act, 1908(Central Act XV of 1908), the Governor of

Madras hereby makes with effect on and from the 1st May 1954, the following alterations to Part II of the First Schedule to the said Act:--

ALTERATIONS

In the said schedule -

(1) in part II, in the entries in column (1) under 'Wester Group', the entry, 'Mangalore', shall be omitted; and

(2) at the beginning of the same part, in the entry in column (1) relating to Tirunelveli district, after the entries relating to 'Tuticorin' in column (1), the following entries shall be inserted, namely:--

Name of Port	Vessels Chargeable.	Rate of Port Dues	Dues how often chargeable in respect of the same vessel.
(1)	(2)	(3)	(4)
South Kanara District MANGALORE	Sea going Vessels of 15 tons and upwards.	Foreign Vessels. (a) In the case of any foreign ship or steamer calling at the Mangalore Port - Not exceeding four annas a ton	The due is paya on each entry into port
		Coasting Vessels (b) In the case of a coasting ship calling at the Mangalore Port - Not exceeding two annas a ton.	The payment of due at the Port exempt the ship a period of six days from liabi to pay the due
		(c) In the cases of a coasting steamer calling at the Mangalore Port - Not exceeding four annas a ton	The due is payal once in thirty

In exercise of the powers conferred by section 34 of Indian Ports Act, 1908 (Central Act XV of 1908), the Governor of Madras hereby notifies that, with effect on and from the 1st May 1954 the rates of port dues leviable at the Port of Mangalore on sea-going vessels of the burthen of 15 tons and upwards shall be:--

(a) two annas per ton in the case of a coasting ship or steamer, and

(b) three annas in the case of a foreign ship or steamer

III.

In exercise of the powers conferred by section 36 of the Indian Ports Act, 1908, (Central Act XV of 1908), the Governor of Madras hereby appoints with effect on and from the 1st May 1954, the Port Conservancy Board, Mangalore, to receive any dues, fees, or other charges authorised to be taken at the Port of Mangalore by or under the said Act and subject to the control of the State Government, to expend the receipts on any of the objects authorised by the said Act.

(By Order of the Governor)

M.S.Ram,
Deputy Secretary to Government

To

The State Port Officer
The Accountant General, Madras
The Examiner of Local Fund Accounts
The Collector of South Kanara District
The Superintendent, Government Press for publication of the Notifications in the Gazettes.

True Copy / Forwarded / By Order

P. K. Mahadeva
SUPERINTENDENT

THE KANARA CHAMBER OF COMMERCE

52

MANGALORE-1 (S. INDIA)

Date 17th February 1954

13902

To

The Hon'ble Raja Sri Shanmuga Rajeswara Sethupathi,
Minister for Public Works,
Government of Madras,
Fort St.George,
MADRAS.

Sir,

Sub: The Mangalore Port Trust Act,1953
Delay in the constitution of the
Port Trust at Mangalore

Ref: (1) Our Letter dt.3-8-53 to Hon'ble
Minister for Public Works.
(2) Our Letter dt.6-10-53 to the
Secretary to the Govt.of Madras
Public Works Department.

In our above letters, the Government were urged to take necessary steps for the constitution of the Port Tru at Mangalore in accordance with the Mangalore Port Trust Act,1953 at an early date. Both the letters remain wit a reply or even an acknowledgment till this date.

2. The Mangalore Port Trust Act,1953, prepared in accordance with the provisions of sub-section(2) of secti 2 of the Tuticorin Port Trust(Application to Mangalore)Ac 1953 has already been published in the Fort St.George Gazettes as long back as on 9-12-53, as required by that sub-section. This publication, which is a necessary pre for the enforcement of the Act, having been completed, we do not see any reason why further action is still delayed In any case there is yet no indication whatsoever of any further step taken by the State Government, preliminary o otherwise, to proceed with the constitution of the Port Trust. In these circumstances, if appears as if it is the intention of the Government to delay action or to put off the formation of the Port Trust regardless of the necessity and urgency of the same as represented by this Chamber several times. However it is our earnest desir to know how far the matter stands at present.

3. We also request that action be taken without further delay to issue the necessary preliminary notifica and to constitute the Port Trust in as short a time as possible so that the Port Trust can function with effect from 1st April 1954.

We trust, you will give this matter your most urge attention and we shall thank you to kindly let us have yo reply as early as possible.

Yours faithfully,
For THE KANARA CHAMBER OF COMMERCE

Copy to:-
The Secretary to the Govt.of Madras,
P.W.Dept., Madras.

same subject

THE KANARA CHAMBER OF COMMERCE

P. O. BOX NO. 116 MANGALORE-1 (S. INDIA)

TELEGRAMS: "CHAMBER"
TELEPHONE: 128

Date 17th February 1954.

1609

26 FEB 1954

SECRETARIAT GOVERNMENT

25 FEB 1954

PUBLIC WORKS DEPARTMENT

To

The Hon'ble Raja Sri Muthuraga Rajeswara Sethupathi,
Minister for Public Works,
Government of Madras,
Fort St.George,
MADRAS.

MINISTER FOR PUBLIC WORKS
19 FEB 1954
GOVT. OF MADRAS

Sir,

Sub: The Mangalore Port Trust Act,1953
Delay in the constitution of the
Port Trust at Mangalore

Ref: (1) Our Letter dt.3-8-53 to Hon'ble Minister for Public Works.
(2) Our Letter dt.6-10-53 to the Secretary to the Govt.of Madras Public Works Department.

ECY., P.W.D.
Please acknowledge this letter and expedite.
21/2
MINISTER(W)

In our above letters, the Government were urged to take necessary steps for the constitution of the Port Trust at Mangalore in accordance with the Mangalore Port Trust Act,1953 at an early date. Both the letters remain without a reply or even an acknowledgment till this date.

2. The Mangalore Port Trust Act,1953, prepared in accordance with the provisions of sub-section(2) of section 2 of the Tuticorin Port Trust(Application to Mangalore)Act, 1953 has already been published in the Fort St.George Gazette as long back as on 9-12-53, as required by that sub-section. This publication, which is a necessary prelud for the enforcement of the Act, having been completed, we do not see any reason why further action is still delayed. In any case there is yet no indication whatsoever of any further step taken by the State Government, preliminary or otherwise, to proceed with the constitution of the Port Trust. In these circumstances, if appears as if it is the intention of the Government to delay action or to put off the formation of the Port Trust regardless of the necessity and urgency of the same as represented by this Chamber several times. However it is our earnest desire to know how far the matter stands at present.

3. We also request that action be taken without further delay to issue the necessary preliminary notificatio and to constitute the Port Trust in as short a time as possible so that the Port Trust can function with effect from 1st April 1954.

We trust, you will give this matter your most urgent attention and we shall thank you to kindly let us have your reply as early as possible.

Yours faithfully,
for THE KANARA CHAMBER OF COMMERCE

M Madhava Kamath

Hon. Secretary

Letter no. 8884/F/53-5 dt 27-2

To

The Hon. Secy.

The Kanara Chamber of Commerce.

Post Box no. 116.

Mangalore.

Sir,

Sub: Port Trust at Mangalore – Constitution of.

Ref: your letter of 17.2.54 addressed to M(W).

I am directed to acknowledge receipt of your letter cited and to state that it is regretted that the Port Trust at Mangalore cannot be constituted, for technical reasons with effect from the 1st April and however to state that action is being taken to constitute Port Trust at Mangalore not later than the 1st June 1954.

26/2/54 26.2.54.

27.2.54 M. J.

Port Trust at Mangalore - Constitution of

From the Kanara Chamber of Commerce
letter of 17.4.54.

"Secy: P.W.D.

Please acknowledge this letter and expedite

(Sd) ....
Minister (W)".

In its reference on the cf. the Kanara Chamber of Commerce has requested that action may be taken without further delay to issue the necessary preliminary notifications for the constitution of the Port Trust at Mangalore, so that the Port Trust may function with effect from 1.4.54.

The main file relating to the above has been sent to Law Deptt. for remarks and proposals. It was proposed therein that the Port Trust may be constituted after about one month after constitution of a separate port fund for Mangalore Port. Orders constituting a separate port fund for Mangalore with effect from 1.5.54 have been issued vide G.O.Ms.No. 546 PW dt 16.4.54. Hence the Port Trust may be constituted with any inconvenience with effect from 1.6.1954 will be taken on this basis after the main file returned from Law.

In the circumstances, the Kanara Chamber of Commerce may be informed that the Govt. regret that for technical reasons the Port Trust cannot be constituted with effect from 1.4.54, and that necessary action to constitute the Port Trust not later than 1.6.54 is being taken. Draft letter below is for consideration.

26.2.54

27.2.54

Issued as Letter No. 88841F/53.5 dt 27.2

22031

From

H.K.Thingalaya,
Hon. Magistrate,
Kodiyalbore- 1 (S.K.)

To

Hon. Shri. N.Ranga Reddi,
Minister for Public Works,
Government of Madras,
Madras.

.,P.W.D.
is was given to me
erson.

Minister (W)

Sir,

Ref:- MANGALORE PORT TRUST ACT

With reference to the above Act which is fast becoming an Act, I beg to place the following facts for your consideration and favourable orders thereon.

I am a member belonging to the Fishermen - Community, aged about 53 years, doing business in fish and residing very near the Port in Mangalore.

I am a Congress Worker for the last 25 years and was also imprisoned during the Salt Satyagraha Movement. I am the joint Secretary of the D.C.C. now and the Vice President of the Mangalore Circle Congress Committee. I was also a Councillor for 6 years in the Mangalore Municipality.

I am doing Prohibition Propaganda since 1920 by founding a Temperence Hall (Regd) known as Jnanodhaya Sam and I am a member of the Mangalore Taluk Prohibition Advisory Committee even now.

I am the Vice President of the Kanara Vesse Owner's Association even now.

Now I learn that the Government is nominatin 2 members of the Fishermen Community for the Mangalore Port Trust. If I am selected I promise to do my best to the Stat and to the Community for which the seat is reserved.

Mangalore
19- 9- 1953

IEDIATE

T.M. no. 88841 F/53-7 - G 7 4-54

From the A.Sch Secy. to Govt. P.W.D.

To the S.P.O.

Sub: Mangalore Port Trust Board - constitution of.

The S.P.O. is requested to send immediately the no. and date of the Govt. order in which the Mangalore Port Conservancy Board was first constituted.

7/4/54

for 8.4.54

4.4.54

The above information is required in connection with the proposed Major Ports Act. 1953.

29108

OFFICE OF THE

Date 7-4-1954

Hours Minutes

O.F. 304 CHANGE
DY. SEC'T. SECRETARY TO
7 APR 1954
PUBLIC WORKS DEPARTMENT

Immediate

TELEPHONIC MESSAGE.

From	To
State port Officer Madras	The Secy P.W.D

T.O.M No. 1435-Gl/54-1

Sub:- Mangalore Port Trust Board - Constitution of -

Ref:- T.M of Govt No 8884/P.W.D dt 7/4/54

The Mangalore Port Conservancy Board was first Constituted in G.O.No 358 Fin (Marine) dt 14/10/1922

TITLE DIVISION

Mangalore Port – Constitution of Port Trust – Notifications – Published.

Order No. 1299 P.W. of 9.4.195

The following notifications will be published in the Fort St. George gazette and in the South Kanara District gazette:-

Notifications

I

Under section 2 of the Mangalore Port Trust Act, 1953, the Governor of Madras ~~is~~ hereby ~~pleased to direct~~ directs that the said Act shall come into force on the 1st of July 1954.

II

Under section 5 of the Mangalore Port Trust Act, 1953, the Governor of Madras ~~hereby directs~~ directs that the number of Trustees of the Port of Mangalore shall be ~~fifteen~~ including the Chairman and Vice-Chairman.

9.4.54

FORT ST. GEORGE GAZETTE.

APRIL 21, 1954.

PART I—PAGES 473 AND 474.

PUBLIC WORKS DEPARTMENT.

(Marine.)

Notifications under Mangalore Port Trust Act.

[*G.O. Ms. No.* 1299, *P.W.* (*Marine*), 9*th April* 1954.]

DATE OF COMING INTO FORCE OF THE ACT.

No. 18.

Under section 2 of the Mangalore Port Trust Act, 1953, the Governor of Madras hereby directs that the said Act shall come into force on the 1st of July 1954.

FIXATION OF NUMBER OF TRUSTEES OF PORT OF MANGALORE.

No. 19.

Under section 5 of the Mangalore Port Trust Act, 1953, the Governor of Madras hereby directs that the number of Trustees of the Port of Mangalore shall be fifteen including the Chairman

-13

GOVERNMENT OF MADRAS
(Abstract)

MANGALORE PORT - Constitution of Port Trust - Notifica Published.

-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-

PUBLIC WORKS DEPARTMENT

G.O.MS.NO. 1299. Dated 9th April 1954.
Read the following:-

ORDER:

The following notifications will be published in the Fort St. George Gazette and in the South Kanara Distric Gazette:-

NOTIFICATIONS.

I

Under section 2 of the Mangalore Port Trust Act,19 the Governor of Madras hereby directs that the said Act shall come into force on the 1st of July 1954.

II

Under section 5 of the Mangalore Port Trust Act,19 the Governor of Madras hereby directs that the number of Trustees of the Port of Mangalore shall be fifteen includi the Chairman and Vice-Chairman.

(BY ORDER OF GOVERNOR)

M.S. RAM,
DEPUTY SECRETARY TO GOVERNMEN.

TO

The Superintendent, Government Press
for publication of the notifications in
the Gazettes.
The State Port Officer.
The Collector of South Kanara.
The Law Department.
The Accountant General, Madras.
The Examiner of Local Fund Accounts.

Copy to the Government of India, Ministry of Transport (Transport Wing), New Delhi
Copy to Public (Information & Publicity) Dept

True copy / Forwarded / By order.

P. N. Mahadev
SUPERINTENDENT.

TVR/9/4/

S/C

DY

14 APR 1954
IMMEDIATE

.30474.

TELEPHONIC MESSAGE

From the State Port Officer, Madras.
To the Secretary to Government, P.W.D., Madras.
No.1435 G1/54-1 dated 7-4-54.

ADDL. ASST. SECRETARY TO GOVERNMENT
14 APR 1954
PUBLIC WORKS DEPARTMENT

Mangalore Port Trust Board - Constitution of - Telephonic message from Government No.88841 F/53-7 P.W. dated 7-4-54.

The Mangalore Port Conservancy Board was first constitu in G.O.No.558, Finance (Marine), dated 17-10-1927.

State Port Officer

Post copy in confirmation.

Demi-official.

77 PWD(Fi).

T.M. no. 8884 F/53-9 of 19-4-54.

From the Asst. Secy. to Govt. PWD.

To the S.G.P.

Sub: Nanjanad Port Trust Act, 1953.

Please supply immediately ten copies of the Nanjanad Port Trust Act, 1953 for the use of Govt.

19.4.54

17.4.54

Note: The copies of the Act are required for being sent to the various Chambers of Commerce, Nanjanad Municipality etc.

PWD(F)

/

T.T. no 88841 F/53-17 dt 24-4-54.

From the Asst. Secy. to Govt PWD.

To the S.C.P.

Sub: Mangalore Port Trust Act, 08.
Supply of copies.

Ref: Govt T.O. no. 88841 F/53-9
dt 08.4.54.

Please say when the copies of the Mangalore Port Trust Act, 1873 called for in the T.O. referred to may be expected.

M
28.4.54

DS
24/4/54.
AS
28.4.54

Papers removed from this file and added to file 79 no. 37205 F/54

Pages. 79-88 Cy

53.9	PW Cy	19.4.54 to C.M.C. Nancalen
53.10	PW Cy	15.4.54 to Secy. K.C.C. Nan
53.11	PW Cy	19.4.54 to Secy. Western Andhra Title Name rejected Dsn. Nangalam
53.12	Cy	15.4.54 to the Collector of Central Area Madras.
53.13	Cy	15.4.54 to the Gl. Manager. Southern Ry
53.15	Cy	22.4.54 to the Collr of South Kanara.

CONFIDENTIAL.

PUBLIC WORKS DEPARTMENT.

Memorandum No.88841-F/53-15, Dated 22nd April 1954.

Sub:- Mangalore Port Trust Board--Trustees--Nominati

A copy of the Mangalore Port Trust Act, 1953, is forwarded to the Collector of South Kanara. He is informed that it has been notified that the Act shall come into force on the 1st July 1954. The Port Trust Board will for the present consist of 15 members as indicated below, including the Chairman and Vice-Chairman, the Collector of South Kanara being the ex-officio Chairman.

Mangalore Port Trust Board:

Elected Trustees (Section 6(2) of the Act).	...	8.
Nominated Trustees:--		
Official:		
Collector of South Kanara--Ex.Officio Chairman.	...	1.
Local Superintendent of Customs.	...	1.
Representative of Southern Railway.	...	1.
		3.
Non-Official Trustees:--		
Representative of Labour (Section 6(3) of the Act).	...	1.
From among persons engaged in sea borne trade(Section 5(2) of the Act).	...	2.
Non-Statutory representative.	...	1.
		4.
Total nominated:	...	7.

2. The Collector is informed that the bodies concerned are being addressed in regard to the election of their representatives on the Trust Board, and the customs Department and the Southern Railway in regard to their representatives.

3. As regards the Labour representative, under section 6(3) of the Act, the State Government will have to appoint a trustee from a panel consisting of persons elected by trade union of workers at the Port, which have been registered under the Indian Trade Unions Act, 1926(Central Act XVI of 1926), the members for the time being of each of the Unions being entitled to elect one person to the panel at a meeting of the Union held in accordance with its rules as then in force. The Collector is accordingly requested to ~~report~~ request the registered trade unions of workers at the Port to elect on or after the 1st July 1954, one person each to the panel referred to and submit the names to Government for appointing one of them to the Trust Board.

4. The Government will have to nominate to the Trust Board two persons engaged in sea borne trade at Mangalore including a representative of the Mangalore Coffee and Produce Merchants' Association. The Collector is accordingly requested to recommend two suitable persons engaged in sea borne trade at Mangalore for nomination to the Trust Board. He is informed that one of these two persons should belong to the Mangalore Coffee and Produce Merchants' Association.

5. As regards the one non-statutory representative on the Trust Board, the Collector is informed that it has been decided that representation to the following interest may be given by rotation, if they do not get representatio from the Kanara Chamber of Commerce:—

(1) Country Craft Owners.
(2) South Kanara Master Printers' Association.
(3) Shipping interests.

As the nomination of the above representative is dependant on the representatives to be elected to the Trust Board by the Kanara Chamber of Commerce, the Collect is requested to make a suitable recommendation to fill the above vacancy, after the election of the representatives o the Kanara Chamber of Commerce. In this connection a copy of a representation dated 19.9.1953 received from Sri H.K. Thingalaya is forwarded to the Collector of South Kanara for disposal.

6. The Collector of South Kanara is informed that the panel of Labour representatives referred to in para 3 above may be submitted to Government immediately after all the Trade Unions elect on or after the 1st July 1954, their nominees to the Panel and that his recommendat in regard to nomination of two persons engaged in sea born trade at Mangalore referred to in para 4 above may be submitted to Government not later than the beginning of June 1954. As regards his recommendations in regard to the nomination referred to in para 5 above, it may be made as early as possible after the election of the representative of the Kanara Chamber of Commerce to the Trust Board.

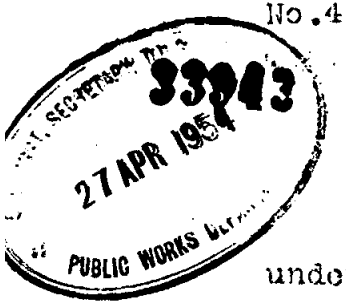
(A.J.CHANDY),
FOR DEPUTY SECRETARY TO GOVERNMEN

To the Collector of South Kanara(with enclosure).
Copy to the State Port Officer(with enclosure).

TTJ.22.4.

POST COPY OF TELEPHONIC MESSAGE

From the State Port Officer, Madras.
To the Secretary to Government, P.W.D., Madras.
No.4107 G1/53-5 dated 24-4-54.



Mangalore Port - Mangalore Port Trust Act 1953 - Draft Notification under section 10 of the Acts - My letter to Government No.4107 G1/53-4 dated 31-12-53 and G.O.Ms.No.1299 P.W. dated 9-4-54.

Request orders in respect of the draft notif under Section 10 enclosed to my letter cited.

State Port Officer

POST COPY OF TELEPHONIC MESSAGE.

The State Port Officer, Madras.

To the Secretary to Government, P.W.D., Madras.

No.4378 G1/53-3 dated 24-4-54.

Mangalore Port Trust - Constitution - Representation for South Kanara Master Printers Association - My letter to Government No.4378 G1/53-2 dated 8-1-54.

Request orders.

State Port Officer.

27 APR 1954
PUBLIC WORKS DEPARTMENT

Very urgent

P.W.D.(F)

97

Memo. M. 8884(F)/53-I dt 28-4-54

Mangalore Port Trust - Constitution.

From the S.P.O. No. 4107 Gl/53.5 dt 24.4.54.
From the S.P.O. No. 4378 Gl/53.3 dt 24.4.54

The attention of the S.P.O. is invited to the notification published as G.O.Ms.No. 1299 P.W. dt 9.4.54. The entire Mangalore Port Trust Act, 1953, will come into force on the 1st July 1954. The Mangalore Municipal council and other bodies have been asked to fix a date for the election of their representatives to the Mangalore Port Trust Board. On receipt of their replies notification under section 10 of the Act will be published. Meanwhile the S.P.O. is requested to submit very urgently drafts of the notifications that have to be issued under the Act.

2. As regards the representation for the South Kanara Waste Printers Assn. the attention of the S.P.O. is invited to para 5 of confidential Memo. M. 8884(F)/53 dt 22.4.54 to the Collector of South Kanara, copy sent to the S.P.O.

All communications should be addressed to the Secretary to the Government of India, Ministry of Transport, by title, NOT by name.

Telegrams :
"TRANSPORT."

31713

GOVERNMENT OF INDIA.

Ministry of Transport.

(Transport Wing)

No.7-PII(12)/51

Dated New Delhi the 19 April 1954

From

Shri A.V.Subramania Iyer,
Under Secretary to the Govt. of India.

To

The Secretary to the Govt. of Madras,
Public Works Department,
Madras.

Subject:- Mangalore Port- Constitution of Port Trust.

Sir,

I am directed to refer to your endorsement of order No. G.O. NO.1299 dated the 9th April 1954 on the subject noted above and to request that two copies of the Mangalore Port Trust Act 1953 may kindly be furnished to this Ministry at an early date.

Yours faithfully,

(A.V.Subramania Iyer)
Under Secretary to the Government of India.

Letter No. 8884/F/53-'56 dt 22-4-

To

The Secy. to the Govt. of India,
Ministry of Transport,
(Transport Wing)
New Delhi.
(with enclosures)

Sir,

Sub: Mangalore Port Trust Act, 19

Ref: Sri. Subramania Iyer's let
No. T-PT II (12)/51 dt 19.4.5

I am directed to f
herewith as required two copies
the Mangalore Port Trust Act, 195

Yours faithfully,

Secretary.

Immediate

P.W.D (F.)

Memo. no. 88841F/53-H. of 28.4.1954

Mangalore Port Trust Act, 1953 - Supply of cop

The Controller of Stationery and Printing is informed that in this Deptt T.M. no. 88841F/53.9 of 19.4.54, the S.G.P. was asked to supply immediately ten copies the Mangalore Port Trust Act, 1953 for the use of Govt. As the copies were not received even by the 24.4.1954, he was asked to check up in this Deptt T.D. no. 88841F/53.17 of 24.4.54, as to when the copies may be expected. No reply has or been received from the S.G.P. even for this reminder. As the copies of the Act are urgently required, the Controller of Stationery and Printing is requested to arrange to supply the copies of the Act to Govt. urgently. If there is likely to be some delay in

the supplying of the copies. The date by which the copies may be expected may be intimated to your immediately.

DWS
28/4/54

28.4.54

28.4.54.

MM:

The issue of the letters head is being delayed for want of copies of Rule.

28.4.54

DWS
28/4/54

28.4.54.

3495/1/24.
28.4.24

S.G.P. 118.

TRIPLICATE.

26151

Government Press,

MINT/M.R./PENY. BRANCH

H.D./2D./1D./Sales/Binding

To

Madras, 195

The

The following have been sent by Post/Railway parcel Goods under Railway Receipt No. and booke

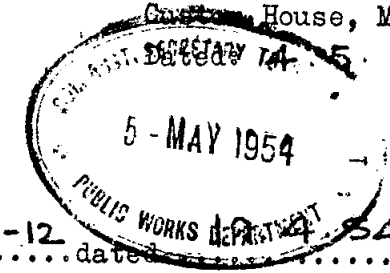
6511

The Deputy Secretary to Government MISSENT/CORR 234/1954

Customs House, Madras

To Govt of Madras
Public Works Dept
Fort St. George - Madras.

Dated 14.5.54.



Your letter No. 88841/F53-12 dated .....

does not relate to this office. It has been forwarded to .....
The Collector of Central Excise Madras 10

for disposal. with the enclosure.

For any further correspondence, you may please address direct to that office.

PWD(Fr)

SUPERINTENDENT
CORRESPONDENCE SECT

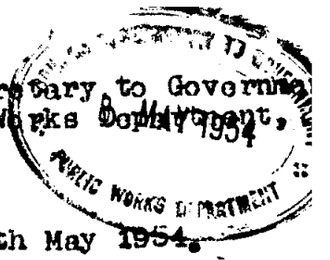
Papers removed from this file
and added to file
no. 37205 F/54

Pages 1078 cy.

Letter dt 4.5.54 from the Western India Tile
Manufacturers Assn. Mangalore

From;
L.H.Gornish Esq.,
State Port Officer,
P.B.No.13,
Madras-1.

To:
The Secretary to Governme
Public Works Department,
Madras.



No.4378 G1/53-5 dated 6th May 1954.

Sir,

Mangalore Port Trust - Consitution.

I invite a reference to Government Memo No.8 F/53-18 P.W. dated 28-4-54, inviting my attention t notification ordered to be published in G.O.Ms.No.1 P.W. dated 9-4-54 and stating that the entire Manga Port Trust Act will come into force on 1st July 195

2. After the Mangalore Port Trust Board is full constituted, the Board must prepare and sanction u section 24 of the above Act a schedule of the staff officers other than the Chairman and Vice Chairman of servants whom the Board shall deem it necessary proper to maintain for the purposes of the Act. In accordance with the precedent of the Tuticorin Port Mangalore Port Trust Board must frame a scale of under section 44 of the Mangalore Port Trust Act fo performance of specified services which will replac inter alia the schedule of landing and shipping fee now leviable under section 4 of the Madras Outports Landing and Shipping Fees Act 1885. The applicat of this schedule to the Mangalore Port will have to cancelled by Government from the date on which the fixed under the Port Trust Act comes into force whi will be later than 1st July 1954 referred to above. Please see in this connection G.O.No.618 Finance (Marine) dated 16-12-24 ordering the issue of Noti tions extending the Port Trust Act to the port of Tuticorin and withdrawing the Madras Outports Landing Shipping Fees Act from that port. I therefore pro that the Port Conservancy Board at Mangalore will h to perform services connected with landing and shi and collect fees in accordance with the rules issue under the Madras Outports Landing and Shipping Fee and continue to hold its sittings till the above fu is transferred to the Port Trust, which will be so after 1st July 1954 the date of coming into force Mangalore Port Trust Act. I request that this ma please be confirmed.

Yours faithfully,

State Port Officer.

MANGALORE PORT TRUST BOARD - Vice-Chairman - Election notifications - Issued.

PUBLIC WORKS DEPARTMENT

G.O.Ms. No.171 Dated 11th May, 1954.

ORDER:

The following notifications will be published in the Fort St. George Gazette and in the South Kanara District Gazette:-

NOTIFICATIONS.

I.

In exercise of the powers conferred by section 23 of the Mangalore Port Trust Act, 1953, the Governor of Madras hereby directs that the Mangalore Port Trust Board, after its constitution, shall elect one of its trustees as Vice-Chairman in such manner as may be prescribed by rules made by the Government for the purpose.

II.

The following draft of certain rules prescribing the manner of election of the Vice-Chairman of the Mangalore Port Trust Board which it is proposed to make in exercise of the powers conferred by sections 23 and 119 of the Mangalore Port Trust Act, 1953, is hereby published, as required by clause (a) of sub-section (3) of the said section 119, for general information.

Notice is hereby given that the draft will be further proceeded with after the expiry of one month from the date of publication of this notification and that any objection or suggestion which may be received from any person with respect thereto before the expiry of the said period will be considered by the Government of Madras in the Public Works Department.

DRAFT RULES.

1. The Board shall elect one of its trustees as Vice-Chairman at a meeting held for the purpose.

2. Not less than two weeks' notice shall be given of such meeting. Such notice shall be served as far as possible personally on all trustees resident at the station at the time and their initials shall be duly obtained on a duplicate copy of the notice in token of their acknowledgement of receipt of the notice. The notice shall be sent by registered post (acknowledgment due) to trustees who are not resident at the station at the time.

3. No election shall be held unless the number of trustees present at the meeting is not less than nine.

4. The voting shall be by ballot. The candidate to whom a majority of votes is given shall be declared duly elected. If two or more candidates at the top receive an equal number of votes, the president of the meeting shall have a second or casting vote and the person to whom such vote is given shall be declared duly elected.

M.S. RAM,
Deputy Secretary to Government.

To

The Controller of Stationery & Printing,
for publication of the Notifications in
the Gazettes.
The Collector of South Kanara.
The State Port Officer, Madras
The Examiner of Local Fund Accounts.
The Accountant General, Madras.
The Mangalore Municipal Council, Mangalore.
The Kanara Chamber of Commerce, Mangalore-1.
The Western India Tiles Manufacturers' Association, Mangalor

(True Copy).

Forwarded/By Order.

SUPERINTENDENT.

Papers removed from this file and added to file No. 37205 F/54

111

Pages 111-114

Letter No. nil of 12.5.54 from the Kanara Chamber of Commerce, Mangalore.

Letter No. R.Dis. VIII/25/64 E/54 of 8.5.54 from the Collector of Central Excise, Madras.

From:
L.H.Cornish Esq.,
State Port Officer,
P.B.No.13,
Madras-1.

To:
The Secretary to Govern
Public Works Department
Madras.

No.1476 G1/54-3 dated 15th May 1954

399[illegible],

Mangalore Port Trust Board - Nomination of Government letter No.88841 F/53-12 P.W. dat addressed to the Collector of Customs, Fire Beach, Madras-1 with a copy to me.

I invite a reference to the Government letter regarding the appointment of the local Superintender toms at Mangalore as a Government representative on Port Trust Board. It is addressed to the Collector First Line Beach, Madras-1 instead of to the Collect Central Excise, Harrington Road, Chetput, Madras, controlling authority for outport customs. I there that Government may be pleased to address the Collec Central Excise, Madras in the matter if the above l not since been transferred to this office by the Col Customs.

Yours faithfully,

State Port Officer.

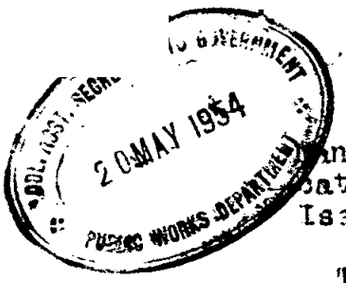
AT/15.

PWD(F1)

reaction is called for. may be filed. the letter seems to has already been addressed to the Collector Central Excise, and his reply has also been received.

No.4378 G1/53_6

State Port Office,
P.B.No.13, Madras-2.
17--5--54.



Memo 40954

Mangalore Port Trust - Constitution - Notifications under various sections of the Act - Issue of - Your letter No.855/54-3 dated 6-5-54.

The entire Port Trust Act will come into force on 1-7-1954 - vide Notification I issued in G.O.Ms. No.1299 P.W. dated 9-4-54 and Government Memo No. 88841 F/53 18 P.W. dated 28-4-1954. As regards the withdrawal of the Landing and Shipping Fees Act and framing of a scale of rates under Section 44 of the Mangalore Port Trust Act, your attention is drawn to para 2 of this office letter to Government on this point, No.4378 G1/53-5 dated 6-5-54, stating that the scale of rates under section 44 of the Port Trust Act will replace inter alia the schedule of Landing and Shipping Fees now leviable under the Landing and Shipping Fees Act etc. which will be from the date on which the scale of rates fixed under the Port Trust Act comes into force. In the meantime, I suggest that the scale of rates under section 44 of the Port Trust Act be prepared by you for the approval of the Port Trust when formed.

As regards the establishment referred to in para 2 of your letter cited, in accordance with the precedent at Tuticorin, those non-gazetted staff who are paid from Mangalore Port Fund will be struck off the consolidated Presidency cadre from the date the Port Trust Act comes into force. Regarding the Landing and Shipping Fund staff, this should be dealt with after the Port Trust Board has been constituted and a report submitted to Government by the Chairman of the Board. In this connection, a copy of para 2 of Memo No.T-58-1 Finance (Marine) dated 4-6-1924 issued by Government when the Tuticorin Port Trust was formed is forwarded for information and necessary action. The orders contained therein apply mutatis mutandis to Mangalore PORT.

State Port Officer.

To the Port Officer, Mangalore.
Copy with a copy of letter referred to submitted to the Secretary to Government, P.W.D., Madras for favour of information in continuation of this letter No.4378 G1/53-5 dated 6-5-54.

y of letter No.855/54-3 dated 6-5-54 from the Port. icer, Mangalore to the State Port Officer, Madras.

Mangalore Port Trust - Constitution - Notifications under various sections of the Act - Issue of - State Port Officer's Endt. No.4278 G1/53-4 dated 30-4-54.

Although it has been ordered in Government Memorandum No.88841 F/53-18 M P.W. dated 28-4-54 that the entire Mangalore Port Trust Act 1953 would come into force on the 1st July 1954 notifications under certain provisions of the Act could be published obly in consultation with the Port Trust Board i.e. only after formation of the Board. However, the Government may be requested to publish the draft notification bringing into force section 14 to 3 to 39 and 67 to 121 on the same line as has been done in the case of Tuticorin Port Trust - vide draft notification I enclosed to State Port Officer's letter to Government No.4107 G1/53-2 dated 7-12-53. Withdrawal of the Madras Outports Landing and Shipping Fees Act and introduction of separate rates etc. under section 44 of the Mangalore Port Trust etc. will be placed before the first meeting of the Port Trust Board for approval and further action.

If you agree with me the Government may be addressed to issue necessary orders transferring the existing establishment to the service of the Port Trust with effect from 1-7-1954 as has been ordered in G.O.No.411 - Mis. Finance (Marine) dated 6-7-1925 enclosed to State Port Officer's Memo No.4107 G1/53-2 dated 24-12-1953. Detailed list of establishment as considered necessary based on the circumstances obtaining at the port will be submitted after obtaining the approval of the Port Trust Board on its first meeting.

II

Copy of Government Memo No.T-58-1 Finance (Marine) d/ 4-6-

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x x x x

2. Under section 24 of the Act the Board must prepare and tion a schedule of the staff of officers other than the Chaman and Vice Chairman and of servants whom the Board shall deem it necessary and proper to maintain for the purposes o the Act. One portion of such establishment will be that whi at present deals with work connected with the L anding and Shipping Fund. The existing establishment is borne on the Minor Ports Fund cadre and with some minor exceptions is pensionable. If the Tuticorin Port Trust desire to retain services of this establishment, two courses are open:

(a) The establishment may resign their posts in Govern service, forfeiting all claim to pension and take employmen under the Port Trust or

(b) The Government may lend the services of the existi establishment to the Port Trust on condition that the latte body pays in addition to the actual cost of the establishme leave and pensionary contributions to the Minor Ports Fund the Tuticorin Port Fund of the establishment is debited to If the Port Trust are reluctant to perpetuate such an arran ment, it might be adopted as a temporary expedient till the establishment is absorbed in permanent vacancies in the Min Ports Fund cadre.

x x x

(True Copy)

Papers removed from this file
and added to file
No. 3720.5 F/54.

Pages 119-124

4 from the President, Kanara Vessels
Owners' Assn. Mangalore.

5.54 from Bunder Workers Union, Na
Gt D.

Papers removed from this file and added to file no. 37205 F/54

Pages 125 – 130 cf.

Letter dt 20.5.54. from the Kanara Chamber Commerce, Mangalore.

Letter dt 18.5.54 from certain members of the Kanara Chamber of Commerce

Papers removed from
file and added to file no.
37205 F/52.

Pages. 131-132.

5.52 from the South Kam

Papers removed from this file and added to no. 37205 F/54

Papers 133-134.

~~Letter C. B2~~

Reg. C. no. B2. 11085/54 from the Collector

Memo. No. 8884/F/53-22 dated 28.5.195

Mangalore Port Trust Board - Constitutio

From the State Port Officer Letter No. 4378 gl/5 of 6.5.54.

With reference to his letter cited S.P.O. is informed as follows:-

The Mangalore Port Trust Act comes into force in its entirety on the 1st July 1954. But it is not possible for the Port Trust Board to be constituted on the same date to take over the duty of carrying out the provisions of the Act. Till such time as the Port Trust Board is constituted the existing Port Conservancy Board will continue to meet and perform the duties under the Madras Port Act, 1908, and the Madras Outports Landing and Shipping fees Act, 1885 vide delegations in G.O.Ms No. 558 Finance (Marine) of 17.10.27. and G.O.Ms.No 546 P.W. of 16.2.54. Immediately the Port Trust Board is constituted, the Govt will issue an order as in the draft enclosed. The Port Trust Board will then perform -

(1) its duties under the Madras Port Act, 1908; and

(2) services connected with landing and shipping and collect dues in accordance with the rules issued under

e Madras Outports Landing and Shippin
ees Act, 1885.
ftr the Port Trust Board considers and
ranes the scale of rates under
section 4 of the Mangalore Port Trust
Act, 1873, such a scale of rates will
ake the place of the fees and rules
ssined under the Madras Outports
Landing and Shipping Fees Act, 1885,
y the issue of notifications similar
o notifications II & III issued in G.O.Ms.
No. 618 Fin. (Separate) ... ...

Papers removed from
this file and added to
file no 37205F/54

137

Papers 137-138 Cy.

Letter from the Kanara Chamber of Commerce.
dt 27.5.54.

Office of the Accountant General,
Madras.
**

DDL. ASST. SECRETARY TO
29 MAY 1954
PUBLIC WORKS DEPARTMENT

From
The Accountant General,
Madras.

To
The Secretary to Government,
Public Works Department, Madras

No.T11A/General/223 dated 27 May 1954.

Sir,

Sub: Mangalore Port - Constitution of Port Trust.

Ref: G.O. Ms No.1299 PWD dated 9-4-1954.

A copy of the Mangalore Port Trust Act 1953 referred to in the G.O. cited above may kindly be furnished as it has not so far been received in this office.

Yours faithfully,

A. Kachapeswaran

Assistant Accounts Officer.

vk 24-5

'e and added to file no.

37205F/54

Page 141 - 142 c/s.

3/16869/54 of 25.5.54 from the
Kannur Municipal Council, Kannur

14 P.W.D.(Fi)

Memo. no. 88841F/53-23 dt 2-6-54.

Mangalore Port Trust -- Constitution.

—

From the A.G. Madras letter no. T.11A/82/223 dt 27.5.54.

—

A copy of the Mangalore Port Trust Act, 1953 is furnished to the A.G., Madras as required. He is requested to acknowledge its receipt.

2.6.54

4b/139 cf

To the A.G. Madras with a copy of the Mangalore Port Trust Act, 1953.

1/6/54 1.6.54

47786 GUM LINE

MEMORANDUM.

No. D.A. XXII-Genl-275 Dated the 7/6

From The Accountant General, Madras.

To The Secretary to Govt., Public works Departme MADRAS-9.

Subject Mangalore Port Trust Act-Copy of

Reference: P.W.D. Memo No.88841-F/53-23 dated 2/6/54.

Sir,

The receipt of the copy of the Mangalore Port Trust Act 1953, sent with the PWD Memo cited above is acknowledged .

PWD (Fi)

Yours faithfully,

A Kachapeswaran

Assistant Accounts Officer.

Filed.

21.6.54

DS. 11/6.

GOVERNMENT OF MADRAS
ABSTRACT

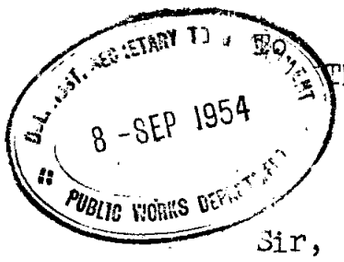
Port Trusts--Mangalore--Audit of accounts--Examiner of Local Fund Accounts--Appointed as Auditor.

-x-x-x

Ref.C.No. B2.20863/54 S. Kanara Collector's Of Mangalore dated 4-9-54.

From

Sri V. Seetharama Servai, B.A.,
Collector of South Kanara.



The Secretary to Government,
Public Works Department,
Fort St. George,
MADRAS 9.

Sir,

70678

Sub: MANGALORE PORT TRUST BOARD - Formation the Board after appointment of trustees under Section 6 of the Act of 1953.

Ref: 1. My letter Ref.C.No.B2-11085/54 Confdl. dated 24-7-54 submitted in reply to Government Endorsement No. 37205-F.54/P.W. dated 2-7-54.

The New Port Trust Board for Mangalore has not been formed yet. I presume that the appointment of the trustees is still under the consideration of the Government.

2. In G.O. Misc. No. 1299 P.W.D. dated 9-4-54, the Government have directed that under Section 2, the Mangalore Port Trust Act 1953 shall come into force on 1-7-54 and under Section 5 the number of Trustees of the Port Trust Board of Mangalore shall be 15 including the Chairman and Vice-Chairman. In Government Memo No. 38841-F-53-1 P.W. Department dated 22-4-54 it has been stated that the Collector of South Kanara shall be the ex-officio Chairman of the Port Trust Board.

3. Prior to 1-7-54 the administration of the Mangalore Port was looked after by a Port Conservancy Board comprising official and non-official members and the Port Officer. The Collector was the Chairman of this Port Conservancy Board and the Port Officer its Vice Chairman. In G.O. No. 247 P.W.D. dated 22-1-54, the term of service of members of this Port Conservancy Board was extended for further period up to the date of formation of the Port Board, Mangalore. As the Port Trust Board has not yet been formed, the Port Officer who is the Vice Chairman of the Port Conservancy Board held meetings of after 1-7-54 viz. on 20-7-54 and 17-8-54.

4. As some members of the Port Conservancy Board wi to have a special meeting to discuss about the revised e imate for repairs to the hull of the tug of the Mangalor Port, the Port Officer requested me on 25-8-54 to let hi know when such a meeting could be held. It has to be considered whether especially after the Port Trust Act 1953, has come into force on 1-7-54, such meeting by the members of the Port Conservancy Board could be convened to discuss matters relating to the Port whether the holding of such meeting would be in order and in conformity with the Act of 1953. The Act of 1953 does not make any reference to the Port Conservancy Board nor lay down when it should cease to function. As the matter is however not free from doubt, I request to be intimated whether meetings of the Port Conservancy Board could be convened till the Mangalore Port Trust Board is actually formed.

I request early orders.

Yours faithfully,

4-9-54

For Collector

4/9

Memo no. 88841F/53-24 dt 10.9.1

Mangalore Port Trust Board - Constitu

From the Collector of South Kanara letter no
C.B2.20863/54 dt 4.9.54.

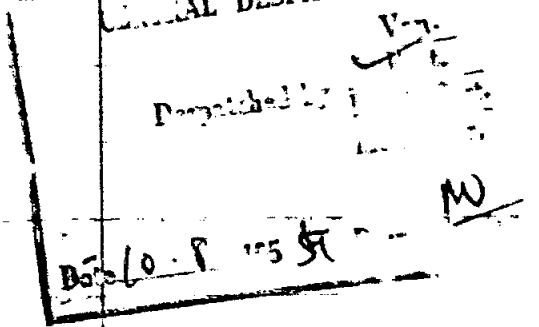
With reference to his letter cited, copy of memo no. 88841F/53-22 dt 28 issued to the S.P.O. is forwarded to the Colle of South Kanara. It will be observed therefrom that till the Mangalore Port Trus Board is constituted, the Mangalore Port Conservancy Board should continue to meet and perform the duties assigned The collector is informed that it is propos

constitute the Port Trust Board ~~from~~ in the
1st Gestn USS when it will take over ~~from~~
the administration of the Port.

Prd
12/9/57

M
9.9.57

2) The calling S.R. with copies ~~of~~ & memo-m pp. 135-136 of our the opinion d- at (M)



M

P.W.D. (F1)

Mangalore Port Trust - Constitution of Port Trust Board - Ordered.

Ref: G.O.Ms.No.2478 P.W., dated 15-7-1954.
G.O.Ms.No.2525 P.W., dated 19-7-54.
G.O Ms.no.3207 PW dt 11-9-54

.....

ORDER MS.NO. 3274 P.W.DATED 16.9.54

The Government direct that the Board of Trustees of the Port of Mangalore under the Mangalore Port Trust Act, 1953, be constituted with effect on and from the 1st October 195

2. On and from the aforesaid date i.e. the date on which the Board is constituted, the Port Conservancy Board Mangalore, shall cease to exist and th supervision of the affairs relating to the Landing and Shipping Dues Fund will be taken over by the Port Trust Board which will be the Conservator of the Port.

3. The following notification wil be published in the Fort St. George Gazette and in the South Kanara Distri Gazette:-

Notification.

In exercise of the powers conferred by sections 7 and 36 of the Indian Ports Act, 1908, and in modifica tion of Finance (Marine) Department Notification No. 91 dated the 17th

October 1927, at page 1899 of Part I of the Fort St. George Gazette, dated the 22nd November, 1927, as subsequently amended, and of Public Works (Marine) Department Notification No.7 dated the 16th February, 1954, published at pages 263 and 264 of Part I of the Fort St. George Gazette dated the 24th February 1954, the Governor of Madras hereby appoints with effect on and from the 1st October, 1954, the Board of Trustees of the Po of Mangalore to be Conservator of the Port and to receive all dues, fees, or and other charges authorised to be taken at the Port of Mangalore by or under the said Act and subject to the control of the State Government, to expend the receipts on any of the objects authorised by the said Act.

2/11.9.54.

To the Controller of Stationery ar
Printing for publication of th
Notification in the Gazettes.
To the Chairman, Mangalore Port Tr
Mangalore.
To the State Port Officer, Madras.
To the Collector of South Kanara.
To the Accountant-General, Madras.
To the Examiner of Local Fund Ac
To All the Trustees of the Port of M
~~(Spare copies 10)~~

To Public (S & P) Depn

Copy to the Gl. Manager, S. Rly., Park T
Ma
.. .. .. Chief of Central Excise, Mad
.. .. .. President, Kanara Cha
Commerce, Manga
.. .. .. President, Western India
Manufacturers Assn., Ba

Clean copy, pp 153-154 ante

GOVERNMENT OF MADRAS

Abstract

**

Mangalore Port Trust - Constitution of Port Trust Board - Ordered.

-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-

PUBLIC WORKS DEPARTMENT

G.O.Ms.No.3274. dated the 16th September 1
Read the following:

G.O.Ms.No.2478 Public Works dated 15-7-1954.
G.O.Ms.No.2525 Public Works dated 19-7-1954.
G.O.Ms.No.3207 Public Works dated 11-9-1954.

ORDER :

The Government direct that the Board of Trustees the Port of Mangalore under the Mangalore Port Trust Act, be constituted with effect on and from the 1st October 19

2. On and from the aforesaid date, i.e. the date which the Board is constituted, the Port Conservancy Boar Mangalore, shall cease to exist and the supervision of th affairs relating to the Landing and Shipping Dues Fund wi taken over by the Port Trust Board which will be the Cons tor of the Port.

3. The following notification will be published i Fort St. George Gazette and in the South Kanara District Gazette:-

Notification

In exercise of the powers conferred by sections 7 of the Indian Ports Act, 1908, and in modification of Fi (Marine) Department Notification No.91 dated the 17th Oct 1927, published at page 1899 of Part I of the Fort St. Ge Gazette, dated the 22nd November, 1927, as subsequently a and of Public Works (Marine) Department Notification No.7 the 16th February 1954, published at pages 263 and 264 of Part I of the Fort St. George Gazette, dated the 24th Feb 1954, the Governor of Madras hereby appoints with effect and from the 1st October 1954, the Board of Trustees of t Port of Mangalore to be Conservator of the Port and to re all dues, fees or other charges authorised to be taken at Port of Mangalore by or under the said Act and subject to control of the State Government, to expend the receipts o any of the objects authorised by the said Act.

M.S. RAM,
DEPUTY SECRETARY TO GOVERNME

To the Controller of Stationery and Printing
for publication of the Notification in
the Gazettes.
" Chairman, Mangalore Port Trust, Mangalore.
" State Port Officer, Madras.
" Collector of South Kanara.
" Accountant-General, Madras.
" Examiner of Local Fund Accounts.

Sri V. Seetharama Servai, Chairman, Mangalore Port Trust, & Collector of South Kanara, Mangalore.

Dr. K. Nagappa Alva, M.B.B.S., Trustee of the Port of Mangalore, & President, Port Workers' Union, Bunder, Mangalore.

To Sri E.V. Mahmood, Trustee of the Port of Mangalore, and Superintendent of Central Excise, Mangalore Circle Mangalore.

" K.N. Krishnan, Trustee of the Port of Mangalore and District Traffic Superintendent, Southern Railway, Podanur.

" V. Subraya Mallia, Trustee of the Port of Mangalore & President, Mangalore Coffee & Produce Merchants' Association, Mangalore.

Mr. J.N.A. Hobbs, Trustee of the Port of Mangalore and Manager, Pierce Leslie & Co. Ltd., Mangalore.

Sri M. Kunhammu, Trustee of the Port of Mangalore and President, Canara Vessel Owners' Association, Mangalore.

" F.X.D. Pinto, Trustee of the Port of Mangalore, C/o The President, The Western Indian Tile Manufacturing Association, Mangalore.

" G.R. Pandit, Trustee of the Port of Mangalore, C/o The President, The Western India Tile Manufacturing Association, Mangalore.

" B.S. Basker Rai, Trustee of the Port of Mangalore, C/o The Chairman, Municipal Council, Mangalore.

" B.R. Kerkera, Trustee of the Port of Mangalore, C/o The Chairman, Municipal Council, Mangalore.

" V.S. Kudva, Trustee of the Port of Mangalore, C/o The President, The Kanara Chamber of Commerce, Mangalore 1.

" A. Umanath Rao, Trustee of the Port of Mangalore, C/o The President, The Kanara Chamber of Commerce, Mangalore 1.

" M. Srinivasa Nayak, Trustee of the Port of Mangalore, C/o The President, The Kanara Chamber of Commerce, Mangalore 1.

" T. Annappa Nayak, Trustee of the Port of Mangalore, C/o The President, The Kanara Chamber of Commerce, Mangalore 1.

To Public (Information and Publicity) Department.

Copy to the General Manager, Southern Railway, Park Town, Madras 3.

" Collector of Central Excise, Madras 10.

" President, Kanara Chamber of Commerce, Mangalore

" President, Western India Tile Manufacturing Association, Mangalore 1.

" Chairman, Municipal Council, Mangalore 1.

/ TRUE COPY / FORWARDED / BY ORDER /

P. K. Bahadevan
SUPERINTENDENT.

Vnr16.9

PUBLIC WORKS DEPARTMENT.

(Marine.)

Board of Trustees of Port of Mangalore to be Conservator of the Port.

[*G.O. Ms. No.* 3274, *P.W.* (*Marine*), 16*th September* 1954

No. 56.

In exercise of the powers conferred by sections 7 and 36 of the Indian Ports Act, 1908, and in modification of Finance (Marine) Department Notification No. 91, dated the 17th October 1927, published at page 1899 of Part I of the *Fort St. George Gazette*, dated the 22nd November 1927, as subsequently amended, and of Public Works (Marine) Department Notification No. 7, dated the 16th February 1954, published at pages 263 and 264 of Part I of the *Fort St. George Gazette*, dated the 24th February 1954, the Governor of Madras hereby appoints, with effect on and from the 1st October 1954, the Board of Trustees of the Port of Mangalore to be Conservator of the Port and to receive all dues, fees or other charges authorized to be taken at the Port of Mangalore by or under the said Act and subject to the control of the State Government, to expend the receipts on any of the objects authorized by the said Act.

M. S. RAM,
Deputy Secretary to Government.

Specimen draft (M) P.W.

Mangalore Port Trust - Constitution of Port Trust Board - Ordered.

References: ~~[illegible]~~

Order MS.NO. P.W. dated

The Govt. directs that t Board of Trustees of the Port of Man ~~constituted~~ under the Mangalore Trust Act, 1953, ~~shall begin to fun and carry out the provisions of th Act~~ be constituted with effect on and from the [illegible]

2. On and from the aforesa date on which the Board is con dare, the Port Conservancy Board, Mangalore, shall cease to exist and supervision of the affairs relating to Landing and Shipping Dues Fund wi taken over by the Port Trust Board wh will be the Conservator of the Por

3. The following notifi will be published in the Fort St. Geo Gazette and in the South Kanara District Gazette:-

Notification.

In exercise of the powers conf by sections 7 and 36 of the Indian Act, 1908, and in modification Finance (Marine) Dept Notification no. 91 dated the 17th October 192 at pages 1899 of Part I of the

Fort St. George Gazette, dated the 2nd November 1927.

as subsequently amended and of Public Works (Marine) Department Notification No. 7 dated the 16th February 1954, at pages 263 and 264 of Part I of the Fort St. George Gazette, dated the 4th February 1954, the Governor of Madras appoints the Board of Trustees of the Port of Mangalore to be Conservator of the Port and to receive all dues, fees, and other charges authorised to be taken at the Port of Mangalore by or under the said Act and subject to the control of the State Government, to expend the receipts on any of the objects authorised by the said Act.

Pub
22/5/54.

To the Chairman,
Mangalore Port Trust, Mangalore.
The State Port Officer, Madras.
The Collector, South Kanara.
The Accountant General, Madras.
The Dy. Chief Accts.
The Controller of Stationery and Printing for publication of the notification in the Gazettes.

SPECIMEN DRAFT

Mangalore Port Trust - Constitution of Port Trust Board - Ordered.

Ref:

ORDER MS. NO. P.W. DATED 1954.

The Government direct that the Board of Trustees of the Port of Mangalore under the Mangalore Port Trust Act, 1953 be constituted with effect on and from the 1954.

2. On and from the aforesaid date, i.e. the date on which the Board is constituted the Port Conservancy Board, Mangalore, shall cease to exist and the supervision of the affairs relating to the Landing and Shipping Dues Fund will be taken over by the Port Trust Board which will be the Conservator of the Port.

3. The following notification will be published in the Fort St. George Gazette and in the South Kanara District Gazette:-

Notification.

In exercise of the powers conferred by sections and 36 of the Indian Ports Act, 1908, and in modifications of Finance (Marine) Department Notification No.91 dated the 17th October 1927, at page 1899 of Part I of the Fort St. George Gazette, dated the 22nd November 1927 as subsequently amended, and of Public Works (Marine) Department Notification No.7 dated the 16th February 1954, at pages 263 and 264

t Part I of the Fort St. George Gazette, dated the
4th February 1954, the Governor of Madras appoints
ffect on and from the 1954 the Board
rustees of the Port of Mangalore to be Conservator
f the Port and to receive all dues, fees, and other
harges authorised to be taken at the Port of Mangal
~~the Conservator~~ by or under the said Act and subje
o the control of the State Government, to expend th
eceipts on any of the objects ~~as~~ authorised by the
ct.

o the Controller of Stationery and
Printing, for publication of the
notification in the Gazettes.

o the Chairman, Mangalore Port Trust, Mangalore.

o the State Port Officer, Madras.

o the Collector of South Kanara.

o the Accountant-General, Madras.

o the Examiner of Local Fund Accounts.

Extract from the Note File of C.No.37205-F/54.

x x x

The S.P.O. suggested that for administrative purposes it would be convenient to ~~take 18th~~ have 1st October 1954 as the date for the actual functioning of the Port Trust. On 11-9-54 we can do these nominations and we can fix 1-10-54 as the date for functioning of the Port Trust.

Sd. M. S. R.

PWC

Sub: Constitution of a Port Trust at Mang

Ref. From the Kanara chamber of Commerce
Telegram dated 1.8.53
— dos — letter dt 3.8.53
— do — letter dt 3.8.53
From Sri B. Vaikunta Baliga dt 6.8.53
From the President, the South Kanara Vessel
Owners' Association dated 6.8.53
From Sri B. Vaikunta Baliga to CM dt 8.8.53
Letter to G of J No 12343/53-2 legal dt 17.8.53

The correspondence read above may be perused.

The Mangalore Port Trust Bill has been passed by the State Legislature on 31.7.53. The G of I have been addressed to obtain the assent of the President vide legal letter on pp 19-21 CF. It will take some time for the Bill to become law. The Act with then be published in the Fort St. George Gaze

As regards the representation to be given to the S. Kanara Vessel Owners' Associa on the Port Trust Board referred to on p 15 CF, it has been decided that out of the seven trustees to be appointed by the Govt. one will be from Sailing Vessel Owners. Necessary action in this regard will be taken after the Bill becomes Law. (The main file is now in legal

pl Memo no 12343/53-5. dt 11-9-53
From ... for H K. Thingalaya, Mangalore dt 1

Submitted with personal p
These may be added to the main file in r
from Legal vide 2 p/cards (The ag
No 25.53. the Board has been nominated and fu
action is being taken in Legal)

Filed
24.9.53

From the Mangalore Coffee and Produce Merchant Association, Mangalore, Lr dt.5-10-53.
From the Kanara Chamber of Commerce, dated 6-1

Please see the advance copy of represent tion submitted by the Mangalore Coffee and Pro Merchants' Association, Mangalore, at pp.31-34 The question of giving statutory representatic this Association was examined in the main file and it was decided that it was not necessary t give statutory representation to it. The Ass tion now requests that a representative of the Association may be nominated to the Board unde Section 6(4) of the Act. Necessary action may taken in the main file which is now in Legal after receipt of the Collector's remarks throu whom this has been submitted. No action is called for on this copy.

2. With reference to the letter from the Kanara Chamber of Commerce on p.35 c.f. it is submitted as follows:-

The Tuticorin Port Trust (Application to Mangalore) Act, 1953 (Act XV of 1953) was publ

n the Fort St. George Gazette dated 16-9-53.Under ection 2(2) of this Act, the Tuticorin Port Trust 924, with the adaptations and modifications set ou n the Schedule, incorporated in the said Act, shal e called the "Mangalore Port Trust Act, 1953". A f the Mangalore Port Trust Act, 1953, as prepared l egal, has since been sent to them after scrutiny. ccor ing to section 2 of the Mangalore Port Trust 953, the Act shall come into force on such da e as tat Government may by notification direct. In vi f this, the Chamber has, perhaps, enquired when th ct will come into force.

With reference to section 2(2) of Madras Act I of 1953, the copy of the Mangalore Port Trust Act 953 has not yet been published in the Fort St. Geo azette. Action is being taken separately in this gard by Legal.

In the circumstances Legal may be requested t dvise ~~the stage at which~~ in the matter ~~stands~~.

(It may be mentioned in this connection that .P.C. has been separately requested to submit the cessary draft notifications and proposals for brig he Mangalore Port Trust Act into force pending pub tion of the Act.)

Ka 20/10/53 NM 21.10.53

ASSISTANT SECRETARY 1660 26 OCT 1953 LEGAL DEPARTMENT

21/10/53

N 22.10.53

Legal

PWD MW No 88841 F/53-1 23-10-53

The position is that an enactment containing the same provisions as those of the Tuticorin Port Trust Act subject to the adaptions and modifications set out in the Schedule to Madras Act XV of 1953 has been passed by the Madras Legislature and duly published in the Official Gazette on the 16th September 1953. The provision which deals with the coming into force of that enactment is section 2 of the Mangalore Port Trust Act, 1953 at (Z). According to it, the Act will come into force only on such date or dates as the State Government may by notification direct. It is therefore clear that a notification fixing the date when the Act shall come into force is necessary for bringing the Act into force. It is perhaps convenient to issue such a notification simultaneously with the publication of the Mangalore Port Trust Act, 1953, in the Official Gazette as required by section 2(2) of Madras Act XV of 1953.

K.U.K
4/11/53

D.W.D

P.W.(F)

Please see the Law Department note above.

2. Attention is invited to the l.f., wherefrom it will be seen that the S.P.O. has already been requested to take necessary steps by way of preparing draft notifications and submit proposals to the Government, wherever necessary, for implementing the provisions of the Tuticorin

Port Trust (Application to Mangalore) Act 1953 (Madras Act No.XV of 1953).

3. With reference to Law Dept. note at p.4 ante. the S.P.O. may be apprised of the suggestion at X on p.4 ante, and he may be requested to expedite the submission of the necessary draft notifications. Subject to orders, a draft memo is submitted.

23.11.53

23.11.53

pp 37-38 CF To the S.P.O. Memo. M. 88841F/53-2 of 23.11.53
p39 C From the S.P.O. Letter M. 41078 L/53-2 of 7.12.53
p45 C To the SPO Memo. M. 88841F/53-3 of 22.12.53
p47 C From the SPO Letter M. 41078 L/53-3 of 30.12.53
p49 C From the S.P.O. Letter M 41078 L/53-4 of 30.12.53
p55 C From the S.P.O. Letter M. 43788 L/53-2 of 8.1.54.

This file relates to the implement tion of the various sections of the Mangalor Port Trust Act, 1953. The Act as prepared b the Secretary to Government, Law Department, has been published in Part IV-B of the Fort St. George Gazette dated the 9th December 1953.

2. With reference to section 2 of the Act, the State Government have to direct by notification, the date or dates on which the Act shall come into force. It is not necessary that all the sections should b brought into force on the same day. It has therefore to be decided what sections of the Act shall be brought into force at first. The Port Trust at Mangalore has to be constituted before bringing the other portic of the Act into force. It is therefore for consideration whether sections 1-13 of the A

3. The date from which sections 1-13 of the Act shall be brought into force has to be decided next. In proposing the constitution of a separate port fund for Mangalore, the Port Officer, Mangalore, suggested that it might be constituted with effect from 1-2-54. But the S.P.O. suggested that this may not give sufficient time for the change over and suggested that it might be constituted with effect from 1-4-54. But he has now stated that even this date appears to be impracticable. In the case of Tuticorin, a separa Port Fund was constituted with effect from 1-1-1924 long before the Tuticorin Port Trust B became an Act, and sections 1-13 of the Act were brought into force on 10-6-1924. In the case of Mangalore a separate port fund for Mangalore ha not yet been constituted and it is only after t constitution of a separate Port Fund that secti 1-13 of the Act could be brought into force. Therefore assuming that a separate fund will be constituted with effect from 1-4-54 or at the l with effect from 1-5-54, it may be possible to bring sections 1-13 of the Act into force on 1-6-54 or at the latest on 1-7-54. It is theref for consideration whether it may tentatively be fixed that sections 1-13 of the Act be brought into force on 1-6-54, the actual date being deci after a final decision is taken on the date fro which a separate port fund will be constituted for Mangalore.

4. Under section 5 of the Act, the number of Trustees has to be notified by the State Government. The Board shall consist of n less than 13 or not more than 17 trustee includ

the Chairman and vice-chairman and not less th 1/3 of the number shall be citizens of India, o whom two shall be persons engaged in sea borne trade at Mangalore, and not more than 1/3 shall be Government officials. Of these the number elected trustees will be 8 and consequently the number of nominated trustees will range from 5 to 9 depending on the total strength that may be fix for the Board by the Government. A reference is i this connection invited to paras 6-13 on pp.46 n.f. of L.F.II. It has tentatively been decid that the Port Trust Board shall consist of 15 members including the Chairman and vice chairm - 8 of this will be elected and the rest nominat by Government as shown below:-

Trustees elected by

The Mangalore Municipal Council	2
The Kanara Chamber of Commerce	4
The Western India Tile Manufacturers' Association	2
Total elected	8

Trustees nominated by Government.

	strength of to
(a) Official Trustees:(not morethan 1/3	
Collector of South Kanara (Ex-officio Chairman)	1
Local Supdt. of Customs	1
Representative of Southern Railway	1
	3

(b) Non-official trustees.

From a panel consisting of persons elected by trade unions of workers at the port, which have been registered under the Indian trade Unions Act, 1926	1
From among persons engaged in seaborne trade at Mangalore	2
Others (Non-statutory representative)	1
	4
Total nominated	7

The actual number of trustees on the Board has now to be decided with refce. to section 5(1) of the Act maximum being 15 and the minimum 13. The total arrived a

5. The question has to be decided as to which all bodies should be considered for nor statutory representation by nomination on the Board, for the pres increase by two if at all has to be made in this manner. It has already been agreed that the Mangalore Coffee and Produce Merchants' Associat need not be given statutory representation on th Board, but that a representative of the Associat might be nominated by the Government against the two seats reserved for persons engaged in sea-borne trade at Mangalore.

It has also been agreed that represent to the country craft owners should be given by nomination instead of by election.

As regards the suggestion of India that special representation may be given to shipping (i.e. steamer) interests (i.e. steamer companies plying passenger and cargo steamers from and to Mangalore port) on the Board, it was considered that the Chamber of Commerce would automatically elect a person having shipping interests even in the absence of any specific provision in this regard and that if no representative of the shipping interests was elected by the Chamber, one could be appointed by the Government against one of the seats reserved for nomination.

Recently the South Kanara Master Prin Association requested that statutory representa might be given to it on the Mangalore Port Trus Board. The S.P.O. who was referred to in the matter has stated that after providing stuatuto representation ~~in~~ according to sections 6(2)(a) and (3) of th Act, there will remain four seats to be appoint by Government with due regard to the provisions of section 5(2) of the Act, and that Government

may appoint members to these four seats on the merits from bodies like the South Kanara Maste Printer's Association.

But from a reference to the details at 'A' on p. 7 ante, it will be seen that there are only 3 seats available for giving nc statutory representation to various bodies or associations. Two of these seats will go to persons engaged in sea-borne trade including the Mangalore coffee and Produce Merchants' Association. Hence only one seat is available for nomination, if the total strength of the Board is allowed to stand at 15, to give representation to —

(1) Country craft owners;

(2) South Kanara Master Printers' Ass

(3) Shipping interests, if no person having shipping interests is elec by the Chamber of Commerce.

It is not possible to give represent to all the above 3 interests when there is onl one seat to be given to them for representatio It is therefore for consideration whether the number of seats available for such nomination may be increased from one to two and representa given to the interests referred to. That is, if Chamber of Commerce elect a member having shipp interest the two seats may be allotted one to th country craft owners and the other to the Maste Printers' Association. If however no member wi hipping interests is elected by the Chamber of ommerce, one seat may be alltted to shipping nterests and the other seat to a representativ f ~~either~~ the country craft owners ~~or~~ the Master Prin ssociation may have to go without representation. If this suggestion is accepted, th he total strength of the Board may have to be fixed at elected trustees and 8 nominated trustees.

ective trustees shall be elected and the first chairman, Vice Chairman and nomine Trustees shall be nominated on such dates as m be notified. It is desirable that a separate notification is issued fixing the date of ap by Government of the Chairman, Vice Chairman nominee trustees after the elective trustees elected and notified~~tion~~. But before the da of election of the first elective trustees are notified it is desirable to consult the Mang Municipal Council, the Kanara Chamber of Com and the Western India Tiles Manufacturers' Association as to the dates for the election. Dr letters to the three bodies ~~are~~ submitted be for approval.

7. Law Department may see for ~~any~~ remarks, if any, on the above proposals ~~papers~~ before circulation.

DW 26.1.54

DW 27/1/54 Put up 22.1.54.

AA at Page 3 Note. It is not possible to give representation to every interest. The number of members can only be 17. More and more interests will ask for representation if we start expanding the number of Trustees. We can stick to 15 as originally proposed. The three interests mentioned

Representation by Mdlas
if they desire representation
through the Kanara Chamber
of Commerce.

Draft letter can be issued
Order should be to bring
the Act into force by 1-7-54 at
the latest

Law
4/1/54

2

WD U.O. No.
88841F/53-
1-2-54.
With limited h

Law(Opinions)Department.

Section 2 of the Mangalore Port Tru Act,1953, reads: "This Act shall come in force on such date or dates as the State Government may by notification direct". It is difficult to construe the expressi "This Act" as meaning 'some of the provi of the Act'. But it may be asked as to what is the effect of the words "such d a or dates" occurring in the section. It be said that they indicate the possibili of the Act being brought into force in o area on one date and in another area on another date. However this interpretati may be idle if in fact there is no reaso need or possibility of the Act being bro into force in different areas on differe dates. If it is administratively possib to bring the entire Act into force on a specified date, that would be the best t to do. If such a course is impracticabl case for suitably amending section 2 of

Act arises. For the present purpose it may be unnecessary and unprofitable to go into the niceties of interpretation, our need being a paper.

Section 2 of this Act is only a reproduction of section 2 of the Tuticorin Port Trust Act. Therefore the action taken under section 2 of the Tuticorin Port Trust Act may be followed as a precedent in the present case. All doubts may be set at rest by suitably amending section 2 with retrospec effect at the opportune time.

KCGK
4>1>54.

J.C.

P.W.D.(F)

The file relates to the implementation of the various sections of the Mangalore Port Tr Act, 1953.

2. Under section 2 of the Act, the Sta Government have to direct by notification, the da or dates on which the Act shall come into force. This Deptt. therefore proposed that sections 1-1 of the Act may be brought into force on 1-6-1954 ~~1-7~~ 1.7-1954, dependent on when a separate Port Fund is constituted for the Port of Mangalore. Law De consider that it is not correct to bring differer sections of the Act on different dates. They ha suggested that if it is administratively possible to bring the entire Act into force on a specified date, this would be the best thing to do and that, i such ~~is~~ a course is impracticable, section 2 of the Act may have to be suitably amended with retrosp effect at the opportune time. They have suggest that for the present, the procedure followed in implementing the various sections of the Tuticor Port Trust Act may be followed. In the case of

Tuticorin Port Trust Act, the various sections of the Act were brought into force as shown below:-

Sections 1 - 13	on 10-6-1924.
Sections 14--23	on 7-10-1924.
Sections 24--28	on 17-12-1924./
Sections 29--39	on 7-10-1924.
Sections 40--66	on 17-12-1924.
Sections 67-121	on 7-10-1924./

ut it is not quite necessary that the various sectio f the Act should be brought into force on different ates. There does not appear to exist any administra ifficulty in bringing into force the entire Act on specified date. As a preliminary to bringing the A nto force, a separate Port Fund for the port of angalore has been constituted with effect from 1-5-1 he Act may therefore be brought into force from any ate subsequent to 1-5-1954. It is therefore for con eration whether the entire Act may be brought into force wi ffect from the 1st July 1954.

3. Under section 5 of the Act, the number rustees of the Board has to be notified by the State overnment. The Board shall consist of not less than 3 or more than 17 trustees including the Chairman an ice-Chairman. It has been proposed that the strength f the Board may be fixed at 15 as shown below:

I. Elected Trustees.

Trustees elected by:-

(1) The Mangalore Municipal Council

(2) The Kanara Chamber of Commerce.

(3) The Western Indian Tile Manufacturers' Association.

Total elected.

inated Trustees.

(a) Official Trustees (not more th total strength).

(1) Collector of South Kanara. (Ex-Officio Chairman)

(2) Local Supdt. of Customs.

(3) Representative of Southern Ry

(b) Non-official Trustees.

(1) From a panel consisting of persons elected by Trade Unions of Workers at the Port which have been registered under the Indian Trade Unions Act, 1926.

(2) From among persons engaged in sea borne trade at Mangalore (including a representative of the Mangalore Coffee & Produce Merchants Associatio

(*3) Others(Non-statutory represen

Total nominated.

Total elected and nominated.

*For filling up this vacancy it is propose
to representation to the following interests by rota
if they do not get representation from the Kanara
Chamber of Commerce:-

(1) Country Craft owners,

(2) South Kanara Master Printers' Associa

and (3) Shipping interests.

4. The file may be circulated to M(W) for approval of the proposals in paras 2 and 3 above(af approval of the proposals, action to issue the neces notifications will be taken in consultation with Law Deptt.).

B.J. Chandy
6.4.54
A.E., P.W.D.

Le entire all may
kindly Govt Gen (-) 7.54. Proposals
at Paras 2 and 3 may be approved

M. Shaw
9/4/54

Dy (-) Secretary

TO GOVT.
9-APR 1954
PUBLIC WORKS DEPT.

PUBLIC WORKS DEPARTMENT
9 APR 1954

IMMEDIATE.

A draft order is submitted below for approval. Law (Scrutiny) may see before issue. (Other necessary notifications will be issued in due course).

9/4/54.

9.4.54.

WDU.O.No. 8884/F/53

9.4.54.

Law (Scrutiny)

Law no. 5955

9.4.54

The draft notifications are in order.

9.4.54

Law no. 5955/54-1

9.4.54

P.W.D. (F.)

29853

9.4.54.

The draft notifications may now issue.

9.4.54

4/54

9.4.54

Issued as G.O. MS.No. 1299 PW dt 9.4.54

Under section 2 of the Mangalore Port Trust Act, 1953, it has been notified that the said Act shall come into force on the 1st July 1954, and under section 5 of the Act, it has also been notified that the number of Trustees of the Port of Mangalore shall be 15 including the Chairman and Vice-chairman.

2/ Under section 10 of the Act, the first elective Trustees shall be elected, and the first chairman, Vice-chairman and nominee Trustees shall be nominated on such date as may be notified. It is not however clear whether the dates on which the first elective

nstees, etc should be elected or nominated should fall on or after 1.7.54 (the date o which the Act has been ordered to be brought into force) or whether it may be done earlier than 1.7.1954. If the election and nomination could be done earlier than 1.7.1954. the 3 words appearing in section 6 of the Act will be used to specify dates convenient to them electing their representatives on the Town Board and the Collector of South Kanara asked to propose names for appt. as Trustees of the Boa for the nominee vacancies. If howe such election or nomination should be do by on dates subsequent to 1.7.1954, action will be taken accordingly. In this case, the question arises whether the notification alre issued under section 5 will be in order, when it itself is to be brought into force on or 1.7.19

Law may advise us the mea

There seems to be no objection to have the election and nominat ~~to be done~~ earlier than 1.7.54, subject to the election or nomination ~~to~~ having effect from 1.7.54.

M
14.4.54 ~~D.S.~~

If there is no legal objection it is better to have elections and nominations completed before 1-7-54 so that the new Office bearers will take charge

ASSISTANT SECRETARY
14 APR 1954
6108
LAW DEPARTMENT MADRAS

The date to be notified under section 10 the Act for the election and nomination of Trust should be a date on or after the date on which t Act comes into force. It will not be in order t hold the elections or make the appointment on a when the Act itself has not come into force so t the election or appointment may take effect from later date. There is however no objection to m preliminary arrangements for the conduct of the elections so that the actual elections can be he on 1-7-54.

Notification II on p.71 c.f. merely fixes number of Trustees as required by section 5 of t Act and is in order though it does not specify a date from which it ~~will~~ take effect. The Board constituted under the Act and when the Act itsel comes into force on 1-7-54, the notification con tuting the Board cannot come into force on an ea date - please see in this connection section 6 o the Madras General Clauses Act, 1891.

Leg
15-4-54

PHD

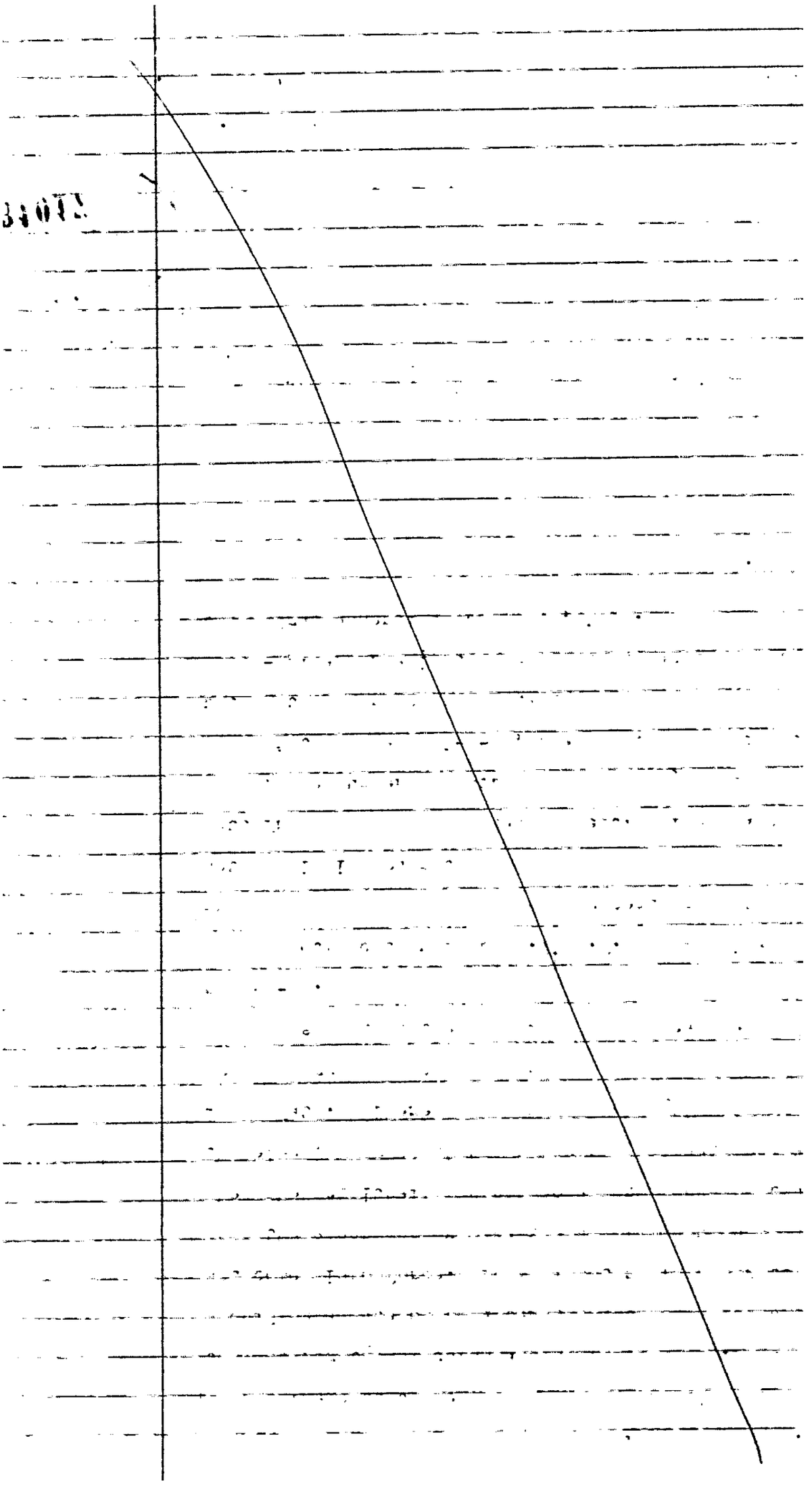
Note of Law Dept above may b noted.

2. Under section 10 of the Act, the first (p5 of Act-24) elective trustees shall be elected, and the first chairman, Vice-chairman, and nominee t shall be nominated on such dates as may be notified.

3. Under section 6(2) of the Act, each (p 3 of Act-24) following bodies shall be entitled to elect the numb Trustees specified against it

The Mangalore Municipal council - 2 Trust
The Kanara chamber of Commerce - 4 Trust
The Western India Tiles Manufacturers Association - 2 Trust

SOL. ASST. SECRETARY TO GOVERNMENT
15 APR 1954
31017
LEGAL DEPARTMENT



These bodies may be requested to to fix suitable dates falling on or after 1.7.1954 for election of their representatives on the Trust Board. Drafts below are for approval.

4. It has already been decided that the Collector of South Kanara shall be ex-Officio Chairman of the Mangalore Port Trust Board. His appointment may be notified in due course. He may however be informed of the above decision. The appt. of a vice-chairman may be considered in due course after the appt. of the other Trustees are notified.

5. According to the decision already taken the nominee trustees shall be the following

Official trustees:

1. Collector of South Kanara
   - Ex-Officio chairman.
2. Local Supdt. of Customs.
3. Representative of Southern Railway

Non-Official trustees:

4. Representative of Labour.
5. From among persons engaged in Sea Borne Trade at Mangalore (including a representative of the Mangalore Coffee and Produce Merchants Assn.)
6. Representation to the following interests by rotation if they do not get representation from the Kanara Chamber of Commerce:-
   (1) Country Craft owners.
   (2) South Kanara Master Printer's Association
   (3) Shipping interests

Item 2 above: The Collector of Custo

the Local Supdt. of Customs at Mangalore being appointed as a Trustee of the Port Trust at Mangalore. Draft letter below is for consideration.

Item 3 on p 19 ante: The general Manager, Southern Railway may be requested to nominate a suitable person to represent the Southern Railway on the Mangalore Port Trust Board. Draft below is for consideration.

Item 4 on p 19 ante: The collector of South Canara may be requested to ask the Trade Union of Workers at the Mangalore Port which have been registered under the Indian Trade Unions Act, 1926 (Central Act XVI of 1926) to elect one person each to the panel of names from which the State Govt. will nominate a person to the Trust Board. Draft below is for consideration.

Item 5 on p 19 ante: The Collector of South Canara may be requested to propose suitable names for nomination against these vacancies. Draft below is for consideration.

Item 6 on p 19 ante: As the nomination of a person against this vacancy is dependant on the election to the Trust Board by the Kanara Chamber of Commerce, the filling up of this vacancy may be considered after the electing its representative by the Kanara Chamber of Commerce. The Collector of South Canara may however be requested to forward a copy of the petition on p 65 of may also perhaps be forwarded to him for information of the pending. Draft below is for consideration

the question of issuing further notifications on the Act will be examined.

DW 18/4/54 PM 19.4.54.

M 19.4.54

All drafts except draft VI may issue with reference to draft VI law may kindly see and advise whether the election of the panel before 1-7-54 i.e. the date on which the act comes into force would be legal. Please see A A at Page 2 of draft VI

19/4/54 Law Officer (A of drafts) 155

Removed for issue.

PWD U.O.No. 8884 IF/53-14.
19-4-54.

Law Dept.
6261
19-4-54
5.15 P.M

31926

JT. SECRETARY TO GOVERNMENT
20 APR 1954

Law U.O.No: 6261-c/54-1
20-4-54

LAW (OPINIONS) DEPARTMENT.

Section 6(3) of the Act provides for the appointment by the Govt. of one Trustee from a panel of persons elected by trade unions of workers. That section also confers a right on the members of each of the unions to elect one person to the panel. The right conferred by the Act cannot be exercised by the members before the Act comes into force. The princip of the note of this Dept. at P.17 ante applies equall to this case. Draft VI may therefore be revised suitably.

20.4.54.

(P.N.D)

Please see the note of Law Deptt at the bottom of p 21 ante. The draft memo. to the Collector below has been suitably modified in red ink.

4/5.

21.4.54

Issued as Memo no. 8886/F/53 IF of 22.4.54 with CP.O memo. no. 8886/F/53-IF of 24

Mangalore Port Trust – Constitution.

From the State Post Officer Letter No. 43789/53-5

6.5.54.

The S.P.O. is informed that though the Mangalore Port Trust Act will come into force from 1.7.1954, it will take some time for the Board to be fully constituted. Till it is fully constituted and appointed to be conservator of the port and authorised to perform the duties connected with the Bandar Port, 1908, and the Madras Outports Land and Shipping Fees Act, 1885, the Mangalore Conservancy Board will continue to function and perform such duties.

15.5.54

Please see the letter from the S.P.O. on p109 with reg. to 'A' on p109 cf. it is submitted that there appears to be no objection to the Mangalore Conservancy Board constituted vide G.O. No. 558 Fin (Mar) of 17.10.27, continuing to function beyond 30.6.1954, and performing the duties delegated to it vide G.O. MS. 558 Fin. (Marine) of 17.10.27 and G.O. MS. 546PW of 16.2.54 we may see for remarks before issue of the above draft.

15.5.54

Law Officer

Law Department

Section 4 of the Mangalore Port Trust Act,1953 imposes the duty of carrying out the provisions of the Act on the Board of Trustees. The Board is co under section 5 and consists of Trustees, some ele some appointed by the Government; the constitutio the Board need not necessarily coincide with the d on which the Act is brought into force. But if a when the Board is constituted, the duty of carryin out the provisions of the Act lies on it; and no other authority can exercise any power or perform any function which under the Act the Board has to exercise or perform, unless the functioning of suc other authority is specifically provided for in th

The S.P.O's letter at page 109 c.f. suggests t even after the Board is constituted under the Act, some of the powers which it has under the Act, can continue to be exercised by other authority eg., Port Conservancy Board. If that is the intention, it cannot be given effect to. If, on the other ha the difficulty is that there should necessarily be some time-lag between the constitution of the Boar and the framing of the scale of rates, it does not to be insurmountable. It should be possible for t Board of Trustees immediately to adopt the existing rates and take up the question of revising the rat at a later date.

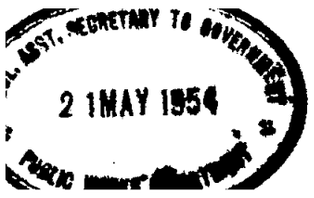
P.W.D. may examine the case further in the ligh of the above remarks and of the provisions of the Mangalore Port Trust Act and consider (i) whether a preliminaries cannot be got ready before the Board constituted; and (ii) whether the Board when constitute get on with the administration of the port on the s

as now till such time as it is able to prepare its own rules, regulations, scale of rates, etc.

20.5.54.

PWD (F1)

The note of Law Dept. t
the top of page 24 ante may be perus
The procedure that is proposed to be
followed is explained in detail belo



2. The Mangalore Port Trus
Act comes into force in its ~~entirety~~ entirely
the 1st July 1954. But it is not possi
for the Port Trust Board to be fully
constituted on the same date ~~as~~ not
take over the duty of carrying out t
provisions of the Mangalore Port Trust
Till such time as the Port Trust Boa
is fully constituted, the existing
Port Conservancy Board will continu
to meet and perform the duties un
the Indian Ports Act, 1908, and the Ma
Outports Landing and Shipping Fee
Act, 1885 - vide delegations in G.O.M.
No. 558 Finance (Marine) of 17.10.192
and G.O. Ms. No. 546 P.W. of 16.2.1954.
Immediately the Port Trust Board is fully
constituted the Govt. will issue an
as in the draft at (M). The Port Tr
Board will then perform -

(1) its duties under the Indian
Ports Act, 1908; and

(2) services connected with lan
and shipping and collect fees in

the Madras Outports Landing and Shipping Fees Act. (vide also the second sentence of para 1 of letter from the S.P.O. to the Port Office, Mangalore). After the Port Trust Board considers and frames the scale of rates under section 44 of the M.P.T. Act, such scale of rates will take the place of the fees and rules issued under the Madras Outports Landing and Shipping Fees Act, by the issue of notifications similar to notifications II & III issued in G.O.Ms. no. 618 Finance (marine) of 16.12.1924.

The position as detailed above may be explained to the S.P.O.

Law may see again and say whether the procedure as detailed above is in order.

24.5.54

24/5/54.

23/5/54

LAW (OPINIONS) DEPARTMENT.

The use of the words "fully constituted" in paragraph 2 of the note of P.W.D. on p.25 ante is ambiguous. The Board is constituted only once and it comes into legal existence immediately it is constituted. Apparently, what P.W.D. mean is that all preliminary arrangements e.g. holding of elections will be held on or immediately after 1-7-54 when the Act comes into force and that the Board as such will be constituted on a later date, i.e., as soon after 1-7-54 as possible. On this basis, the procedure set out by P.W.D. is not open to objection.

The draft has been slightly altered to bring out

PWD U.O.M. 8&R41F/53-
24.5.54.

ASSISTANT SECRETARY 24 MAY 1954 LAW DEPARTMENT, MADRAS

4.75

(M)

26-5-54.

P.W.D (F.)

Please see the note of Law Deptt. on pp 26-27 above. A draft memo to the S.P.O. explaining the position is submitted below for approval.

5/52 — 27.5.54 — 27.5.54

To the S.P.O. Memo No.88841-F/53-22 dated 28-5-54.
From the Collector of South Kanara Letter No.C.B2.20863/54 dated 4-9-54.
To the Collector of South Kanara Memo No.88841-F/53-24, dated 10-9-54.

.....

The names of the persons elected and nominat to the Mangalore Port Trust Board have been duly ordered to be notified in the Fort St. George Gazet and in the South Kanara District Gazette. Action h now to be taken to constitute the Port Trust Board and appointing it to be the conservator of the port With effect from the date the Board is constituted, the Mangalore Port Conservancy Board will cease to exist, and the supervision of the affairs relating to the Landing and Shipping Dues Fund will be taken over by the Port Trust Board. A draft order constituting the Port Trust Board is submitted below for approval. With reference to the instructions o D.S. (in file No.37205-F/54) extracted at (K), the date of such constitution has been noted as 1st Oct. 1954.

w may see for scrutiny of the draft.

11-9-54

Legal Section

18.9.54

P.W.D. (F-

The proposal now relates to the constitution of the Mangalore Port Trust Board.

The Mangalore Port Trust Act, 1953, enacted to constitute a Port Trust at the Mangalore Port was brought into force on the 1st July 1954. It has also been notified that the number of Trustees of the Port shall be fifteen including the Chairman and the Vice-Chairman. The names of the elective and nominee Trustees of the Port, as also the Chairma of the Board of Trustees have been duly ordered to be notified. It is now proposed to issue orders as in the draft below constituting the Mangalore Port Trust Board with effect from the 1st October 1954. Law Dept. have scrutinised the draft. The draft order may now issue after perusal by M(W)

A.J. Chandy
14.9.54
A.S., P.W.D.

13.9.54

M.S. Rao
14/9/54

M(W) 16/9

Issued as G.O.Ms.No. 3254 P.W. dt 16.9.54.

SECRETARY TO GOVT. PUBLIC [illegible]
1 SEP 1954

DEPUTY SECRETARY TO GOVERNMENT
PUBLIC WORKS DEPARTMENT
11 SEP 1954

8884/1-

This file may now be closed.

20.9.54

DMS
17/9/54.
17.954